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*Martin Van Buren*

THE REPUBLIC;  
OR,  
A HISTORY  
OF THE  
UNITED STATES OF AMERICA  
IN  
THE ADMINISTRATIONS,

FROM THE MONARCHIC COLONIAL DAYS  
TO THE PRESENT TIMES.

BY  
JOHN ROBERT IRELAN, M. D.

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IN EIGHTEEN VOLUMES.

Volume VIII.

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1887.

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HISTORY  
OF THE  
LIFE, ADMINISTRATION,  
AND TIMES  
OF  
MARTIN VAN BUREN,  
*Eighth President of the United States.*

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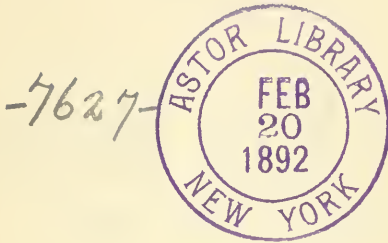
Seven Years' Seminole War,  
AND  
Period of Great Financial Convulsions.

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BY  
JOHN ROBERT IRELAN, M. D.

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# LIFE, ADMINISTRATION, AND TIMES OF MARTIN VAN BUREN,

EIGHTH VICE-PRESIDENT AND EIGHTH PRESIDENT OF  
THE UNITED STATES.

March 4, 1837, to March 4, 1841.

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## CHAPTER I.

FAMILY AND BOYHOOD OF MARTIN VAN BUREN—START  
IN LIFE.

MARTIN VAN BUREN was born at Kinderhook, Columbia County, New York, December 5, 1782. His father, Abraham Van Buren, belonged to one of the old Dutch families which early settled in New Netherlands. He tilled a little farm and kept a small tavern, and the tradition or standard history of him is that "he was an upright, amiable, and intelligent man, of strong common sense, and distinguished for his pacific disposition." This is not an extensive or flattering picture, and would be about equally true if applied to the majority of easy-going worthless men in any community; although Abraham Van Buren is represented as having one quality not by

any means universal among men of any nationality. That was "strong common sense;" and if this fact can be strictly relied upon, he was worthy of admiration, and his son was, perhaps, more than ordinarily fortunate in his parentage.

The first of the Van Burens who emigrated to this country settled at or near Kinderhook, and here the family always resided. Kinderhook (children's corner) was an old Dutch and Swedish settlement, the township not being organized, however, until about 1788. The village of Kinderhook is five miles from the Hudson at Stuyvesant or Kinderhook Landing, the old steamboat landing, and now also a station on the Hudson River Railroad, about twenty miles from Albany. Near Kinderhook Creek, in the edge of the village, is the spot where stood the story and a half log house in which Martin Van Buren was born, and in which his father kept tavern, and the town meetings were sometimes held. The house had at that date some gable windows, but these were subsequently removed; and the house itself long ago passed away.

Abraham Van Buren married the widow Van Alen, who had a daughter and two sons, John I. and James I. Van Alen. Both of these sons became men of some public worth. James was a lawyer, and held several political offices, serving one term in the Lower House of Congress. The character of Mrs. Van Buren can, to some extent, be determined from that of these children as well as from their more distinguished half-brother. She was a Hoes



(originally Goes), a name of some importance among the Dutch settlers of New York. She, too, is said to have been a woman of superior sense, of the usual amiable temper, and the now less common trait of "exemplary piety." She is also represented to have possessed a very discreet tongue (a unique trait, indeed), to have been quite fond of politics, and was, perhaps, the motive power behind old Abraham, her husband, whom she outlived four years, dying herself in 1818.

These two illiterate old people lived only long enough to catch a glimpse of the public importance of their gifted son. Perhaps few of the joys of earth outrank the pleasure derived by wise and good parents from the honorable success and public advancement of their children. Heredity speaks backward as well as forward, and few men are fortunate enough to get away from it, even if they would. As the parents are in great traits and capabilities, the children will usually be; and as the children are, so were the parents. Abraham Van Buren had four other children, two sons and two daughters, all persons of respectable standing. One of them, Lawrence, was a farmer, and Abraham, the other son, was a lawyer and pursued his profession at Hudson. He also figured somewhat in local politics. One of the daughters married a Hoes, and the Hoes and Van Burens were related before the marriage of old Abraham and Mrs. Van Alen.

Although the members of Martin Van Buren's family were persons of no very pretentious claims,

which in themselves may signify little, yet it may appear plain enough that, considering Martin Van Buren all his warmest admirers asserted, he did not greatly disparage his parents, nor had he any reason to wish that he had been differently derived in family, section, or nationality. Since the days of Van Buren's boyhood, at least, quality and character have made the man, mainly, in a great part of the United States. This is one of the most reasonable sources of the pride which claims this Republic to be the most free, wise, progressive, and beneficent Government on the earth.

Although a new era in politics began with Mr. Van Buren's predecessor and patron, he was himself the beginning of an age of new men in public affairs. In the Presidency Andrew Jackson was the last of the men of the Revolution. It is also worthy of note here that up to this time all the Presidents had been of British origin. On the side of both parents Mr. Van Buren was a Dutchman. In this respect he still stands alone, the after Presidents following the rule of entire or partial origin remotely from the British Isles.

Martin Van Buren did not receive a very liberal book education with which to begin life. In the schools of Kinderhook he gathered up some learning, but perhaps not a great deal, as they could not have been very efficient at that early day, and at the age of fourteen he entered upon the study of the law. Yet he was mentally quick, and with little effort managed to get a fair rudimental education, and "they

say" had some knowledge of Latin, without which there can be no education according to the common opinion. So it would seem, at all events, by the diligent efforts made to tack a little Latin to the early days of every man worth thinking or writing about. This important element Van Buren is said to have got before he began the study of the law, however little he then knew about other more valuable things.

But he early began one study in which he eventually became exceedingly skillful, the study of man held by some to be, after all, the proper study of mankind. Before the age of fourteen he had also shown fine ability for composition and speaking; and in the first years of his law apprenticeship he came greatly in demand in this way. To these two qualities in the character of Van Buren are to be traced at least one cause of the choice of a pursuit for him, and in that choice may be found a strong vindication of the "common sense" of his father, and the "more than ordinary sagacity" of his mother, so generally mentioned by those who have written anything about him. It was his fitness for that profession, laid in his own tastes which led him into it, and not mere fancy or folly on his part or that of his parents. Fitness is the great secret of selection and success in any course of life. The man who is qualified or fitted and starts out in any calling with genuine, manly purposes, and perseveres in carrying them out, will be successful and honorable in it, no matter what it may be.

In 1796, without much literary education, Van Buren began the study of the law in the office of Francis Sylvester, at Kinderhook. At that day in New York it was necessary for a student to pass seven years in preparation before he could be admitted to the bar, unless he had been three or four years in college, which, in that case, were deducted from the time required in the professional preparation. A very large part of the law business of Columbia County was then done in the courts of the justices of the peace, and many of the cases were often intrusted to the students. As they had to "work them up" in the strict forms of the English code extensively practiced in New York, the magistrate's court became the best legal school of the law student.

Van Buren soon had his hands full of this laborious business, for several reasons. Two of these have been mentioned, his faculty as a speaker and writer, and his keen observation and knowledge of the movements of men. He now exhibited great industry and the unusual perseverance and exactness which at a later period distinguished him. But another great cause of his early professional activity was his politics. Martin Van Buren was a politician at the age of fourteen. The stand he took in party must in a great degree be attributed to the same origin to which unfortunately most men trace their party connections, that is, parentage. Abraham Van Buren was a Republican (Democrat), and hence his son was also a Republican. Although at first sight

it would not seem more disreputable to a man to inherit his politics than the color of his hair, it may be vastly more so, while both inheritances are most often identical in being the result of no intellectual effort. It is doubtful whether the majority of American voters to-day can trace their political preferences, in any party, to any other source; or if not traceable to this, to some equally simple, less groundless, and more reprehensible and suspicious origin. The child learns but the torch-light procession and hurrah reasons for being a Whig or a Democrat, and the grown ticket-holder at the polls in 1878 may be very little different. However Van Buren took his start in politics, one thing is certain, that before many years he was what every intelligent and reliable voter must be, an adherent of his particular party from well known, deep, utterable, and, to him, sustainable and correct principles. Whether Mr. Van Buren believed that this intelligence could ever be reached in the masses, is extremely doubtful, as he was one of the organizers and sustainers of the New York system which no man more greatly admired than Andrew Jackson; that is, of a few doing all the thinking and the masses submitting with military precision to the voice of the leaders. Although this was long the key to the success of Mr. Van Buren's party in New York, as it has been, to a great extent, of all party organizations, few could be so fool-hardy as to call it democratic. But leaving all this for the present. Mr. Van Buren was in constant demand by his partisan friends in their lesser

cases at law. And indeed, it was not long before he was pitted against respectable old lawyers. He spared no means to ingratiate himself into the favor of his party. It is clearly apparent from the beginning of Mr. Van Buren's apprenticeship that he had a purpose in view. He did not mean to play life away, nor sleep or drone it away.

He meant from the outset to rise to eminence as a politician, and the legal profession was the most available road. He attended all political meetings of his party, and his ability as a writer brought him into constant requisition in preparing resolutions, statements, and addresses, and when he was eighteen years old he was chosen a delegate to represent Kinderhook in a convention to nominate a candidate for Congress. His advancement in his profession and in the popular favor was remarkable and exceptional. His ability and other qualities had attracted the attention of some of the old Republican lawyers out of his neighborhood. And this led him to pass the last year of his apprenticeship in New York City under the tutelage of two of the most considerable lawyers of that period, and one of the most wonderful and unreliable but artful men of that or any age, Wm. P. Van Ness and Aaron Burr. Mr. Van Ness was from Columbia County, and this fact had something to do with Van Buren's finishing his preparation for his profession under him. Van Ness was the friend of Aaron Burr, and was often engaged in legal causes with him, and was besides one of the promoters of Burr's political aspirations.



Mr. Van Buren was soon introduced to Burr, and like scores of other young men for a time made him his model. Aaron Burr had a passion for young men. He could easily make enthusiasts of them. He never lost an opportunity to win them to his favor. And especially a bright boy like Van Buren, with such apt qualities, already popular, and with undoubted aspirations, he was glad to serve, and have at his feet. How much Mr. Van Buren was influenced in his after life by this association with Aaron Burr, it may not be easy to say, but he was charged with being in some particulars much like Burr. At all events, this year, spent in New York, was of great value to him in many ways. It was an exciting, active school, if it did contain some precarious elements, and few young men, perhaps, knew better how, or could have been more desirous to turn it to advantage than Martin Van Buren. This brings me again to the main secret of Van Buren's success, namely, that from the very outset as a boy he had a definite purpose in view—something which he aimed to accomplish by life, and from this purpose he never swerved for a moment. In this respect, it is believed, he had the advantage of the majority of persons.

This world would be much better, no doubt, were this not so. No greater misfortune can befall a man than to be born into this world and live through it without an object. Martin Van Buren's parents must have been responsible to some extent for this superiority in him, and especially as exhibited at so early an age. Yet there can be found little clue to-

day at Kinderhook or any place else as to the peculiar character of Abraham Van Buren's home, or its direct influences on his children, or the way they were taught, or left, to spend time and value life. Aimless parents, as well as others, may in two ways give purposes to the lives of their children, by precept and example. Nothing is more certain than that children are what they are from education, although the education may have continued through many generations. The education of the home is perhaps more important, for good or evil, than that derived from all other sources. The model home is now, by many who ought to know and think better, held to be a play-house, an eternal play-house. This, they say, is necessary to keep affection in the home, and keep the child from wandering out and away into the devices of the evil. Nothing didactic, and no severity must ever be found there, or the child will run away to find fun, folly, and then evil.

This is the usual way of talking of it:—

“Do n't be afraid of a little fun at home, good people. Do n't shut up your houses lest the sun should fade your carpets; and your hearts lest a hearty laugh shake down some of the musty old cobwebs there! If you want to ruin your sons, let them think that all mirth and social enjoyment must be left on the threshold without, when they come home at night. When once a home is regarded as only a place to eat, drink, and sleep in, the work is begun that ends in gambling-houses and reckless degradation. Young people must have fun and relaxations somewhere; if they do not find it at their own hearth-stones it will be sought in other and perhaps less profitable places. There-



fore, let the fire burn brightly at night, and make the homestead delightful with all those little arts that parents so perfectly understand. Do n't repress the buoyant spirits of your children ; half an hour of merriment round the lamp and firelight of a home blots out the remembrances of many a care and annoyance during the day, and the best safeguard they can take with them in the world, is the unseen influence of a bright little domestic sanctum."

Now, it is not easy to say this is not all correct, but it leaves so much unsaid ; uses so many doubtful or careless expressions ; and altogether leaves the impression that this would become a play-house home, and its inmates people of "fun" and "social enjoyment," and life itself have no purpose, or no other purpose than to live and make merry. That is purely a brute or animal view of existence, and no thinking, intelligent, moral person could long entertain it. Can the child appreciate nothing but bread and fun ? Is there nothing worthy of the attention of the average boy but holidays, processions, fire-crackers, tin pans, whistles, green apples, something to eat, and eternal racket ? Is this a brute ? Has the child, the little young man, the little young woman, no natural susceptibilities for anything else in which it may find real delight, real joy, of its own choice among all the things which may be placed before it, and which would go to help make it think home the most delightful, desirable, and incomparable place on earth, and the one giving to life its purest aims, and pointing it to its highest possibilities ? It would be pitiable, nay, contemptible, to think that a child may not be taught to take delight in what is useful, in what is peaceful, in what

is good, in what is true, and what is beautiful. That all stages of life may be, and should be, passed in useful, objective, thoughtful employment, in wise care of the body and mind, in rest and play, justly proportioned, is as true to-day as it ever has been in the history of man. Whatever were the home influences to which Martin Van Buren was subject, from the outset to the end of his active career, the fairly born, average boy of this great Republic has in him an example which should make it worth while for him to follow a worthy object with a similar unvarying perseverance.

## CHAPTER II.

THE LAWYER AND POLITICIAN—THE YOUNG “FOX OF KINDERHOOK” SHOWS HIS HAND.

IN 1803, having spent the entire seven years then required in preparation, Mr. Van Buren was admitted to the bar, and soon afterwards in partnership with his half-brother, James I. Van Alen, he began the practice of his profession at Kinderhook. Several years subsequently he was admitted to practice in the Supreme Court, and in 1809, his importance as a lawyer made it expedient for him to remove to Hudson, the seat of Columbia County. During this time he had mainly devoted himself to his profession, with great industry and success. But he by no means neglected politics. That he did nobody would for a moment believe. It was an exciting period in the affairs of the country. The Republicans had come into power, and their great object was to keep themselves in. Mr. Van Buren's partner and kinsman was a strong Federalist, as his preceptor, Sylvester, had been, and in fact the Federal party was largely in the majority in his county, and embraced most of the respectable people.

Notwithstanding this and the influence brought to bear upon him, Van Buren kept steadily on his

way. He was not only a Republican (Democrat), but belonged to the radical, "strict constructionist," and States Rights wing of that party. He early espoused the New York principle of party discipline, and exhibited it by voting against Aaron Burr for Governor in 1804, as Burr was the bolter candidate opposed to the regular party nominee. He mainly adhered to the views of the New York Republicans as to the course of Mr. Jefferson's Administration, and with them opposed the embargo measures. He assisted in the election of D. D. Tompkins as Governor in 1807, and by him, in the way of reward, was appointed Surrogate (or Probate Judge) of Columbia County.

New York had long practiced the corrupt system of giving to party supporters the benefits of public places, before one of her politicians announced at the outset of Jackson's Administration that "to the victors belong the spoils," since unfortunately practiced by all parties throughout the Nation, and in some cases and sections carried to the disgraceful extent of employing field-hands, mechanics, household help, and in the patronage of merchants. The duties of Surrogate Mr. Van Buren performed until 1813, when he was removed for political cause, Tompkins having been defeated, and the Federalist candidate elected governor.

Van Buren had taken an active part in the national contest of 1800, which brought his party into power, had always been exceedingly zealous in his devotion to the Republican party in his county,

and at the time of his removal to Hudson he was its leader in the county. The Federalist leader was then Elisha Williams, a distinguished lawyer of Hudson. While being political enemies, and working with partisan energy usually stripped of the conditions of exact honor, for political supremacy, it is gratifying to read the following report of the manner in which these rivals conducted their professional relations:—

“Notwithstanding the fierceness of their political collisions, their professional business was conducted in a spirit of unbounded liberality and chivalric confidence. Legal technicalities were entirely disregarded, and everything that related to the mere form of proceeding was accommodated by each to the wishes and convenience of the other. The tendency of this mode of practice to beget controversy and mistake, even between friends, is sufficiently obvious; it is therefore a crowning fact, one that reflects honor not only upon themselves but upon the profession they adorned, that the courts were never troubled with a single special motion growing out of their conduct as practitioners; that no complaint of unfairness attempted, or advantage taken, or courtesy withheld, was ever preferred by either, and that each had since borne ample testimony to the generosity and good faith with which he was treated by his adversary.”

Mr. Van Buren was not long in discovering the weak point in this lawyer, for a time his chief competitor for professional honors in the county. Williams was a captivating orator, and relying on his ability in that way, neglected the preparation and knowledge which would give him strength before a court.

Van Buren did not only aim to be a successful

popular lawyer, but a great lawyer. To this end he now surrounded himself with the most valuable law-books, and devoted himself with redoubled energy and determination to his profession. His advancement was certainly very great. Nor was his political progress allowed to fall below his plans in that direction. In his support of Morgan Lewis instead of Aaron Burr in 1804, he not only greatly surprised his old teacher in the art of politics, but perhaps for a time lost some party friends in his own county. But with his legal reputation, his political importance kept pace. New York Republicans were opposed to a recharter of the Bank of the United States, and when Vice-President George Clinton, by his casting vote in the Senate in the Spring of 1811, decided against it, Van Buren warmly upheld him in his action.

At the time the project for the Bank of America in New York City came before the people of his county, Mr. Van Buren made a speech against the propriety of such an establishment, and, like most of the Democratic leaders of that State, was always opposed to banks. When the act came up in the Legislature for chartering the Bank of America, Governor Tompkins, in what was supposed to be a wise stroke of policy, took the strange, undemocratic liberty (then lawful) of dismissing the Legislature (after the manner of the old royal governors), from the last of March to the first of May, 1812. But by this performance nothing was accomplished, as when the Legislature assembled again the act

was passed and became a law. Van Buren supported the Governor in his course in this case.

He was now coming rapidly into notice throughout the State; and in 1812 he first appeared as a candidate for the support of the people, and after a severe and exciting contest was elected by a small majority over Edward P. Livingston as State Senator from the Middle District. To this achievement some importance must be attached, as the name of the Livingston family had been almost all powerful in the State, and then against him were the friends of the Bank of America, and many of his former partisan friends, as the followers of Morgan Lewis and Aaron Burr.

He first took his seat in November, 1812, when the Legislature was convened to choose Presidential electors, according to the practice then in use in New York, and cast his vote for Clinton, instead of Madison. The following from the pen of his pupil and Cabinet minister, B. F. Butler, will show something of his course in that body:—

“The Republican members of the Legislature of New York, elected in the spring of 1811, resolved, during their session in the spring of 1812, to meet in convention, for the purpose of nominating a candidate for the Presidency. Their numerical strength in the two Houses was nearly one hundred. Of this number, eighty-seven met in convention on the 29th of May, 1812, and unanimously nominated Mr. Clinton; who, on being informed of the nomination, accepted it. Mr. Van Buren was not then a member of the Legislature, nor was he in any way connected with these proceedings. He, however, concurred



in the propriety of supporting the nomination thus made and accepted, and at the session of the Legislature held in November, 1812, in conjunction with a majority of the Republican members of each branch, he took a decided part in the support of Presidential electors, who were voted for as friendly to Mr. Clinton, and who ultimately gave him the vote of the State.

“The Republican members of the Legislature of 1811 and 1812, who brought forward Mr. Clinton as a candidate, had been themselves nominated and chosen by the Republican electors of the several counties and districts, in the manner usually adopted in New York, and were considered the Representatives of the Democracy of the State. They and their constituents had supported the Administration of Mr. Jefferson, and that also of Mr. Madison, in all the great questions of public policy connected with our foreign relations. The great mass of them, so far from being opposed to belligerent measures against Great Britain, were in favor of a more decided policy than had been pursued towards her.

“In regard to Mr. Van Buren, this was peculiarly the case. There was probably no person in the State of his own age, who had given a more efficient support to the measures of the General Government, during the whole period of the restrictive system, than himself. His contemporaries of all parties, in the county of his residence, might be applied to as witnesses, on this point. He was an open and decided advocate of all the strong measures proposed against Great Britain, during the session of Congress of 1811 and 1812, the war included. Having been born and reared in the same town; having been, from July, 1812, until after the peace, an inmate of his family, I am able to speak on this subject, from personal knowledge. No man of character, acquainted with his course and opinions in 1812, will venture to assert that he ever expressed a doubt as to the justice of the war,



or the expediency of engaging in it, at the time it was declared.

“In supporting the nomination of Mr. Clinton, Mr. Van Buren consulted what he believed to be the wishes of the Republicans of his State. His efforts, however, were confined to New York. With those made by the friends of Mr. Clinton, in other States, he had no concern. And though in the choice of electors, Mr. Clinton ultimately received the votes of the Federal members of the Legislature of New York, and was also supported by that party in other States, Mr. Van Buren’s relations to it were entirely unaltered. The hostility towards him, of the Federalists as a party, in the county in which he then resided, was as decided and as violent during the year 1812 as it had been before, or was afterwards. Indeed, it has never been withdrawn, nor suspended, from the commencement of his political career to the present day. Occasional exceptions might be made in regard to individuals, but not enough to vary the general result.

“Upon the whole, it is submitted to the judgment of intelligent and candid men, that whether the support of Mr. Clinton was right or wrong, there is nothing in the mere fact of that support, under the circumstances stated, to sustain the imputation of opposition to the war.

“Let me now give you a summary of Mr. Van Buren’s public course in the Legislature of New York, so far as it bears upon this point. As has been stated, he took his seat in the Senate of New York, in November, 1812.

“Until the adoption of the new constitution in 1821, the Governor, instead of a message, delivered a speech to the Legislature, at the opening of each session. An answer was made to the speech, by each House, in which the views of the majority upon the prominent political questions of the day, were set forth, and thus made the subject of discussion, before any legislative measures in respect to them were matured. Committees were

appointed to prepare the answer, a majority of whom would, it was supposed, be most able and willing to present faithfully the views of the minority of their respective houses, and the strongest man of the minority was usually selected to offer a substitute. Although this was Mr. Van Buren's first appearance in any legislative body, he being, with perhaps a single exception, the youngest man that had, up to that time, been elected to the Senate, he was placed upon the committee, and prepared and reported the answer to the Governor's speech. This answer was published by his friends on the occasion referred to. It vindicated the justice of the war, and urged a vigorous prosecution. This, you will observe, was at the very session at which electors were chosen friendly to Mr. Clinton.

“At the ensuing session of the Legislature, which commenced in January, 1813, the political relations previously existing between Mr. Clinton and Mr. Van Buren were dissolved, and never again resumed. The disastrous results of the preceding year had then begun to press heavily on the country, and especially on the State of New York. Her course in respect to the war became, therefore, a matter of the first importance. Mr. Van Buren, from the commencement of his legislative career, gave to all war measures the most decided and vigorous support. Independently of his speeches and votes on the floor of the Senate, he took a leading part in the re-nomination of Governor Tompkins, and was appointed by the meeting to prepare an address to the Republican electors in support of this nomination. In this paper he went at large into the causes and grounds of the war, and vindicated, with much force of reasoning, and with all the fervor of youthful patriotism, the indispensable duty and high justice of the measure. In the recent compilation of Mr. Emmons, which you may have seen, you may find copious extracts from this address. No man I think can

read them without a decided conviction of the writer's sincerity and zeal.

"In April, 1813, Governor Tompkins was re-elected; but the Federalists obtained a majority in the House of Assembly. During the next session of the Legislature, which commenced in January, 1814, Mr. Van Buren was again conspicuous during the war, and as the popular branch was in the hands of the opposition, the course of the Senate became doubly important. He assisted in carrying through the Senate several measures intended to aid the General Government in the prosecution of the war, which were rejected by the other House, and in the public conferences to which these differences between the two Houses led, was one of the principal speakers on the part of the Senate. At the special session of the Legislature of New York, held in September, 1814, his efforts, though not more zealous, were more efficient and useful, the Democratic party having in the meantime regained their ascendancy in the Assembly. This session had been convened by Executive proclamation, in consequence of the new character which had been given to the war during the year, and of the exposed condition of the State. The answer of the Senate to the speech of the Governor, again prepared by him as chairman of the committee, and which you will also find in the compilation of Mr. Emmons, reaffirmed the justice of the contest on our part, adverted to the eventful nature of the crisis, its dangers, and its duties, and pledged to the State and Union, the active co-operation of the Senate. I think, on perusing it you will agree that it was in keeping with the character and exigency of the times.

"During this special session, Mr. Van Buren matured, brought forward, and defended in debate, several war measures of the strongest character. Of these the most prominent was 'An act to authorize the raising of troops for the defense of the State,' which passed both Houses,

and being approved by the Governor, became a law on the 24th of October, 1814. It authorized the Governor to place at the disposal of the General Government, 12,000 men for two years, to be raised by suitable classifications of the militia of the State; but with such improvements in its details as to avoid many of the inequalities and other objectionable features of the former system of militia drafts. This law has been truly characterized by Colonel Benton, in his late letter to the Committee of the Mississippi Convention, 'as the most energetic war measure ever adopted in this country.' In the Legislature, it encountered the most strenuous opposition, which was continued after the adjournment of that body, and until the restoration of peace. A copy of it was, soon after its introduction, delivered to Mr. Monroe, then Secretary of War, and it would seem to have suggested to that gentleman some portion of the plan submitted by him to Congress, in his report of the 15th of October, 1814.

"At the ensuing session of the Legislature, which commenced in January, 1815, Mr. Van Buren again took the lead in support of the war; and was actually engaged, as chairman of a committee, appointed on his motion, to consider whether any additional provisions were necessary to carry the classification law into immediate and successful operation, in the deliberations of that committee, when the news of peace was received at the seat of Government."

During this first term in the Senate, Mr. Van Buren became the leader of his party there, and was one of its most able men. The House of Representatives was, during a part of the time, controlled by the Federalists, and the questions brought before the Legislature were often discussed in joint sittings. This was an opportunity that was not lost by Van Buren,

nor could it have been, had he been indifferent to his own political advancement, as his value to his party was now well known in that body. Then, too, he was always on the side of all war measures, all measures looking to uniting the people in support of the General Government. His pen, as well as his tongue, was in almost constant demand.

The following extract from the reply on the part of the Senate to the Governor's speech, was drawn by him, and further exhibits his spirit and ability at that early period of his public career:—

*“ To His Excellency, D. D. Tompkins, Governor of New York :*

“ SIR,—The Senate, at the close of their last session, indulged, in common with their fellow-citizens, the pleasing expectation, that before this period the blessings of peace upon just and honorable terms would have been restored to their country. They have thus far been disappointed; and although the mission to which they looked for its accomplishment has not yet terminated, the delay which has taken place in the commencement of negotiations, and the spirit of increased hostility manifested by the enemy in the prosecution of the war, combine to forbid any confident reliance upon the disposition professed by him in the communication which led to that mission.

“ If, in the result, it shall appear, that in these professions he was originally insincere; or that, influenced by after circumstances, he delayed the negotiations proposed by himself, until he should have exerted against us the additional means of annoyance which recent occurrences in Europe had placed at his disposal—the world will not hesitate, in either case, to pronounce upon his conduct the sentence of strong and indignant reprobation.

“ The world have already seen, and they can not but have seen with astonishment, that when ambassadors for

peace, invited by himself, had already crossed the ocean, he has given a new and peculiar character to the contest, a character of violence and outrage, not only incompatible with the feelings of reconciliation, but in the highest degree disgraceful to civilized nations, and repugnant to the established rules of legitimate warfare.

“Whether this conduct has proceeded from ancient animosities now seeking their gratification, in the infliction of injuries upon those who once defied and foiled his power; whether from a desire of finding employment for troops whom it was not thought prudent to disband at home; whether from hostility to our civil institutions, and the vain hope of subverting the fair fabric which by the wisdom, the virtue, and the valor of our fathers, has been reared and secured to us; or from a calculation that by carrying his arms into the heart of the country, and marking his course with desolation and ruin, he could make an impression on the Government which should avail him in the proposed negotiations, or on the people which should be remembered to his advantage in any question which should hereafter arise between the nations—whatever may have been his motives, or whatever his expectations, the Senate can not but exult in common with your excellency and the country, that thus far ‘we have sustained the shock with firmness and gathered laurels from the strife.’

“Although he has succeeded in penetrating to the Capital, his momentary triumph, disgraced as it was by the destruction of public edifices and the subsequent plunder of a defenseless city, has before this time been embittered by the reflection, that by the conflagration of those monuments of art which public spirit and munificence had erected, and which were consecrated by the name of their illustrious founder, he has kindled a flame of patriotism which pervades every section of the Union, which has already lit the way to his severe discomfiture, and which



threatens his complete annihilation, at every assailable point of the Union to which his ambition or his resentment may lead him.

“The Senate have witnessed with the same admiration, evinced by your excellency, the brilliant achievements of our army and navy during the present campaign—achievements, which, in their immediate effects, have been so highly and extensively beneficial to our frontier citizens; achievements which have pierced the gloom, that for a season obscured our political horizon and dispelled those fearful forebodings which past disasters had excited; exploits which will not suffer in a comparison with the most heroic efforts of the veterans of the Old World, which have fully maintained if not enhanced the proud and enviable fame of our gallant seamen; exploits which have covered the actors in those bright scenes with never-fading laurels, and which will, until public gratitude ceases to be a public virtue, call for the highest testimonials which a free people can yield to freemen—unceasing reverence for the memories of those who have died on the field of honor, and acts of unceasing gratitude to their heroic survivors. . . .

“That on questions of general policy, or the fitness of individuals for particular stations, we shall ever be exempted from differences of opinion, is not to be expected. Divisions like those are inseparable from the blessings of our free Constitution; and although sometimes carried to an excess which all good men must deplore, they are, notwithstanding, generally productive of much national good. But to suppose that a people jealous of their rights and proud of their national character would, on a question of resisting the aggressions of an open enemy—aggressions which have polluted our soil, and which threaten the subversion of those inestimable political institutions which have been consecrated to freedom by the blood and sufferings of their fathers—that on a question of such vital

interest, so well calculated to excite all the patriotism, to arouse all the spirit, and to call into action all the energies of the nation, they would waste their strength in useless collision with each other—would be a reflection upon their discernment and their character, which they can never merit.”

Chancellor Kent, in the Council of Revision, made an objection to the classification bill passed in the Legislature for raising twelve thousand soldiers for two years' service. The Chancellor was high authority, and it was considered out of the question to let his objections pass unnoticed. Samuel Young, the Speaker of the House, came forward first with open letters to Kent, published under the signature of *Juris Consultus*. These the Chancellor answered, using the name *Amicus Curiae*.

Van Buren then actually attacked the Chancellor with “*Amicus Juris Consultus*,” showing that young Martin had not forgotten his Latin, and also further demonstrating to his friends that he was able and willing to display his mettle in any field. Mr. Van Buren never was a coward, nor did he ever distrust his own ability. These *Amicus* papers of Mr. Van Buren greatly advanced his own interests with his party. At any rate, in February, 1815, he was appointed Attorney-General of the State; and in the spring of 1816 he was again elected Senator for another four years. During this year on account of his State office and the great increase of his professional business, he removed to Albany.

New York was now agitated on the subject of internal improvements, and Mr. Van Buren's record



on that matter is certainly satisfactory to the most zealous supporter of the great system which has made this a convenient as well as magnificent country, as it was at the time to De Witt Clinton, the patron of the system in that State. In the spring of 1816, the subject came before the Legislature in a bill to organize the arrangements to begin the canals connecting the Hudson with Lake Erie and Lake Champlain. This Mr. Van Buren opposed, and on his motion it was finally enacted that full and accurate surveys and information should be taken on the subject so that the Legislature could be in a condition to move correctly in the proposed work.

The bill providing for beginning the work became a law in the following spring, and probably no man contributed more for its success in the Senate than Mr. Van Buren. His speech on the subject was one of his best at that period of his career, but the following report of it is all that is left from the imperfect reporting facilities of that time:—

“Mr. Van Buren said he must trespass upon the committee, while he stated the general considerations which induced him to give his vote for the bill. It was a subject which had been so fully discussed, and upon which so much had been said, that he should deem it arrogance to enlarge. The calculations which had been made with respect to the probable expense of the canal, and ways and means for raising funds were fit subjects for consideration. But to do this he deemed himself incompetent. He must place great confidence upon the reports of the commissioners upon these points. Mr. Van Buren here

took a brief review of the measures adopted at the last session of the Legislature, in relation to the canal, when a bill similar to the one now before the Senate, was under consideration, and stated the reasons why he voted against the bill at that time. We then had no calculations made by the commissioners so minute as at present. Under these considerations, he conceived it his duty at the last session to move the rejection of the whole bill relating to the commencement of the canal. It was done, and he had the satisfaction to find that most gentlemen have since united with him in his opinion. Now the scene is entirely changed. We at that time passed a law appointing new commissioners, and applying twenty thousand dollars to enable them to obtain all the information possible. We now have the information, and we have arrived at the point, when, if this bill do not pass, the project must for many years be abandoned. His convictions were, that it is for the honor and interest of the State to commence the work at once; we are pledged by former measures to do it. Mr. Van Buren here reviewed the proceedings of former Legislatures upon the subject, during the year 1810, 1811, 1812, and 1814, when, in consequence of the war, the law appropriating five millions for the canal, was repealed. He proceeded: Since that period, new commissioners have been appointed, and new authority given to examine the route for the canal, and report at the present session of the Legislature. A law authorizing the commencement of the work has passed the popular branch of the Legislature, and unless we have the clearest convictions that the project is impracticable, or the resources of our State insufficient, you must not recede from the measures already taken. Are we satisfied upon these two points? We have had able, competent commissioners to report, and they have laid a full statement before us; we are bound to receive these reports as correct evidence upon this subject. In no part of the

business have we looked to individual States, or to the United States for assistance other than accidental or auxiliary. Mr. Van Buren here made some calculations relative to the funds. Lay out of view, said he, all the accidental resources, and the revenue from the canal, and in completing the work you will only entail upon the State a debt, the interest of which will amount to but about three hundred thousand dollars. He then stated the amount of real estate within the State now, and what it probably would be if the canal were completed. The tax would not amount to more than one mill on the dollar; unless the report of commissioners is a tissue of fraud or misrepresentation, this tax will be sufficient, and more than sufficient, to complete the canal. We are now to say that all our former proceedings have been insincere, or we must go on with the work. The people in the districts where we are first to make the canal, are willing and able to be subjected to the expense of those sections. Mr. Van Buren contended that the duties upon salt, and the auction duties, were a certain source of revenue, and that these two sources of revenue would be abundant, and more than abundant, forever to discharge the interest of the debt to be created. Ought we, under such circumstances, to reject this bill? No, sir; for one I am willing to go to the length contemplated by the bill. The canal is to promote the interest and character of the State in a thousand ways. But we are told that the people can not bear the burden. Sir, I assume it as a fact, that the people have already consented to it. For six years we have been engaged upon this business. During this time our tables have groaned with the petitions of the people from every section of our country in favor of it. And not a solitary voice has been raised against it. Mr. Van Buren said he had seen with regret the divisions that have heretofore existed upon this subject, apparently arising from hostility to the commissioners. Last year

the same bill, in effect, passed the Assembly, the immediate representatives of the people; and this year it has passed again. This was conclusive evidence that the people have assented to it. Little can be done by the commissioners, other than to make a loan, before another session. The money can not be lost; there can be no loss at six per cent. We have now all the information we can wish; we must make up our minds either to be expending large sums in legislation year after year, or we must go on with the project. After so much has been done and said upon the subject, it would be discreditable to the State to abandon it.

“He considered it the most important vote he ever gave in his life; but the project, if executed, would raise the State to the highest possible pitch of fame and grandeur. He repeated that we were bound to consider that the people have given their assent. Twelve thousand men of wealth and respectability in the city of New York, last year, petitioned for the canal; and at all events, before the operation would be commenced, the people, if opposed to the measure, would have ample time to express their will upon the subject.”

In 1817, De Witt Clinton became Governor of New York without very great opposition, as D. D. Tompkins, always a much more popular man, was removed from his path by his election to the Vice-Presidency. Clinton was at the head of a faction of the Democracy, and drew to his support most of the old Federalists. His appointments especially, and some other steps, were offensive to many of the Democrats, and they at once started a movement to prevent his re-election. Van Buren was at least one of the leaders of the opposition,

and for it, in the summer of 1819, he was removed by Clinton from the office of Attorney-General. Tompkins was now again brought forward as the man to beat Clinton, but after a severe contest, in which Van Buren took a leading part, Clinton was successful, and Tompkins was more than willing to have a "sure thing" of four years again in the second national office with Mr. Monroe.

## CHAPTER III.

THE POLITICIAN, HIS WAYS AND WORKS—MR. VAN  
BUREN BECOMES A LEADER.

THE Council of Appointments and the Legislature were now favorable to Van Buren, and in spite of the Governor he could again have taken the place of Attorney-General, but this he declined to do. This was the outset of the long conflict between Clinton and his followers and Van Buren and his followers, two Democratic (Republican) factions aided variously by the disorganized Federalists.

One class of Mr. Van Buren's opponents has attacked him furiously for having been the friend of De Witt Clinton against Mr. Madison, and another has been equally severe on him for opposing Mr. Clinton, the latter with much the greater ground of reason and justice. The Republicans of New York were largely in favor of Clinton for the Presidency in 1812. Mr. Van Buren's course in his support was simply in accord with the will of his constituents. Although it was a factious opposition which amounted to nothing in the result, it was based on the practice now familiar; soon after familiar in the ridiculous adherence of a State to its son and favorite.

Mr. Madison had few warmer supporters in New York during the war than Mr. Van Buren, though it was held by some that the election of Clinton would have brought peace.

In the Winter of 1818, an attempt to elect a United States Senator in the Legislature of New York was not successful, by reason of the factious condition of parties in the State at that time. The part actually taken by Mr. Van Buren in this contest which resulted in the choice of Rufus King, and the part groundlessly supposed to have been taken by him by some Democrats who never believed Mr. Van Buren did any thing from a correct or at least a genuine Democratic motive, render the brief history of the case of importance here. At that time, the Democratic (Republican) party in New York was divided into two factions, one headed by De Witt Clinton, and the other by Martin Van Buren. The Van Burenites were seceders from the other, through dissatisfaction with the course of Mr. Clinton in many of his public acts and measures. Besides these there was still an organized Federal party, but of no great strength numerically. Some of the old Federalists were also united with the Clintonians. The Federalists in the Legislature supported Rufus King for the United States Senate, whose term in that body was about expiring. The Clintonians supported John C. Spencer; and the Van Burenites, Samuel Young. But the session closed in the Spring of 1819 without an election, and the Van Buren candidate withdrew from the race. The impossibility of an



election at all began to be apparent, and Mr. Van Buren and his associates at once deemed it necessary to take some step to prevent the State being placed in so anomalous a position in Congress, and yet such as would not compromise them as Democrats and which would be satisfactory to their constituents and honorable to the State.

In another part of this work will be found a full account of the great schism in the Democratic party in New York in 1818, of the "Albany Regency," and other party movements in which Mr. Van Buren was prominent.

It was now evident that the Van Buren faction could not elect a Senator, and the only course left for them was to unite with the Federalists. During the vacation of the Legislature in 1819 it was decided to support Rufus King, who was opposed to the Clinton policy, to a great extent, who had stood by Mr. Madison in the war, was one of the patriots of the Revolution, and although always a Federalist, was one of the most fair and able men in the Nation. A pamphlet, of which Mr. Van Buren was the author, was published, setting forth the character of Mr. King, and, with extraordinary wisdom and patriotism, recommending his election.

As many of Mr. Van Buren's own partisans afterwards held that his conduct throughout this whole affair was not Democratic and was unpartisan, hence criminal, and that there was some vile bargain and fraud at the bottom of his action, the following extracts are made from this pamphlet, showing what



did really actuate him, beyond the defeat of the Clintonites :—

“A fellow member, who knows, and is personally known to most of you, who has, from his infancy, taken a deep interest in the honor and prosperity of the party to which you belong, and who, if he has ever erred in his labor to promote its best interests, has erred from defect of judgment and not from a want of devotion to the cause, ventures to address you on the subject of the choice of Senator to represent this State in the Legislature of the Union.

“The state of parties, the character and standing of the most prominent candidate for your favor, the general aspect of political affairs, and a variety of concurring circumstances, render the subject one of conceded delicacy, and not entirely free from difficulty.

“It is, notwithstanding, one on which it will be our duty soon to act; and all experience demonstrates that nothing is so well calculated to lead to a judicious exercise of power, as a free, frank, and unrestrained discussion of the subjects of it; and nothing, certainly, better comports with the character, or is more congenial to the feelings of freemen, than that those discussions should be attended with all possible publicity. It is with those convictions, and upon the impulse of such feelings, that this examination is undertaken.

“When this question was presented to the Legislature at their last session, the names of several of our friends who are rich in the esteem and confidence of Republicans, were spoken of, and one was actually voted for to fill the existing vacancy. It is satisfactorily ascertained that all those gentlemen, for reasons which it is unnecessary here to state, but which are of a nature reflecting upon them the highest honor, which evince an entire devotion to our cause, and entitle them to a continuance of our best opinion, are unwilling to be regarded as candidates for the

station, and are desirous that our attention should be directed to another quarter.

“In consequence of the general understanding, which has obtained as to the views of the gentlemen of whom I have spoken, and from other causes, the only name which has, for some time past, been held up to public view, and occupied the public mind, as connected with the subject, is that of Rufus King, in whose favor there has been apparently, a spontaneous, and certainly, a very extensive expression of public sentiment.

“Having learned from experience, to place almost implicit confidence in the general justice and ultimate wisdom of the predominant sentiments of the Republican party, I have felt it my duty scrupulously to observe the indication of these sentiments on this interesting subject ; and I am entirely satisfied that I am not mistaken when I say, that the Republicans of this State think and feel that the support of Mr. King, at this time, would be an act honorable to themselves, advantageous to the country, and just to him ; and that the only reluctance which they have to a public avowal of their sentiments in his favor, arises from the commendable apprehension that their determination to support him under existing circumstances might subject them to the suspicion of having become a party to a political bargain, to one of those sinister commutations of principle for power, which they think common with their adversaries, and against which they have remonstrated with becoming spirit.

“I have no hesitation in declaring my sentiments to be in unison with those which I believe generally to prevail among the Republicans of the State ; and I can not but avow my conviction that this apprehension, which evinces an honorable solicitude to avoid even the imputation of the errors of their opponents, is without adequate cause, and can be fully obviated. Although the rule may, possibly, in some instances be carried too far, it is certainly true that the con-

duet of public men, who were in active life, or in a situation to be so, during the last war, has been, and will, unavoidably, long continue to be, the test of their claims to public confidence and support.

“The Federalists of that day may justly, and, by the historian of the time, will probably be divided into three classes; the first consisting of those who, influenced by strong predilection for the enemy, and instigated by the most envenomed malignity against the administration of their own Government, adopting ‘rule or ruin,’ for their motto, exercised an industry and perseverance worthy of a better cause, to paralyze the arms of their own Government, and encourage the hopes of the foe.

“The second class was composed of a very numerous and respectable portion, who, inured to opposition, and heated by collision, were poorly qualified to judge dispassionately of the measures of Government; who deemed the declaration of war impolitic in the then state of the country, and were not as well satisfied, as subsequent reflection has rendered them, of its justice and indispensable necessity; who were deceived, too, by appearances, and by the bold and confident denunciations of their leaders of the first class, into a belief that their own Government was partial to France and averse to peace with Britain, and who from the causes I have enumerated, aided by that strong desire to supplant their political opponents, which is common to all parties, were induced to make all the opposition to Government which they lawfully could, within the pale of the Constitution.

“In the third class, are included all those who, entertaining a correct sense of their country’s rights, a lively sensibility for her wrongs, and a suitable spirit to defend the former, and redress the latter, rose superior to the prejudices and passions of those with whom they once acted, and throwing down the weapons of party warfare, enrolled themselves under the banners of their country.

“Those whom I have first designated, displayed their principles, and gave earnest of their designs, by assisting at, or abetting, the ever-memorable convention at Hartford, and those preceding efforts of factious opposition, which were connected with it. The rising indignation of the American people, however, retarded the execution of their designs until peace put an end to their prosecution. Their labors led to the same results with those of their prototypes of the Revolution; and as their motives were less pure, and their conduct less excusable, they have reaped a more abundant harvest of public obloquy and disgrace.

“Many of those included in the second class, whatever may have been the extent of their delusion at the moment, and however strong the infatuation by which they were blinded, would, at all times, have shrunk from the abandonment of the acknowledged interests of their country, and have, subsequently, embraced every opportunity to testify their devotion to the public interest. There is, moreover, good reason to believe that they will all, in due season, be found to have embarked in the same cause with the Republicans of the State and of the Union. Nor have we failed, and, I hope, we never shall fail, in becoming liberality of sentiment towards that portion of our fellow-citizens, or in exercising that respectful deference for the freedom of opinion, which should ever characterize the conduct of men, who, actuated by pure motives themselves, are sensible of ‘the safety with which error of opinion may be tolerated when reason is left free to combat it.’

“As to the merits of that description of Federalists who are embraced in the third class, there has not been, nor can there ever be, a diversity of opinion among us. If we look back to that period which, a second time, ‘tried men’s souls,’ as the proudest of our lives, they also have reason to exult in the recollection of the parts they respectively acted in those interesting scenes.

“ It is true, they have not the merit of advising to the commencement of the war, a war by which the fame, the honor, the true interests of our common country, have been so much advanced ; but that circumstance alone ought not to impair their claims to the respect and confidence of their fellow-citizens.

“ It was fully compensated by the alacrity with which they lent their aid to an Administration which had so recently been the object of their warmest opposition, the moment they found the question to be between their own country and a foreign foe. They acted, as it had been fondly hoped the whole American people would have acted ; nor were the Administrations of the General and State Governments, at the close of the war, backward in bestowing the proudest testimonials of their approbation and respect, on those whose conduct had been thus meritorious.

“ It is true that, in so doing, they have in some instances been deceived and disappointed, in selecting, for high public stations, men who have not that stamina of character they were supposed to possess ; but who, rendered giddy by their sudden elevation, and forgetful of the sources of that power by which they ascended, will soon fall, with the master spirit in whose legion they are enrolled, ‘ never to rise again.’

“ These are circumstances, however, which can, at most, produce a transient regret, for the folly and weakness of these infatuated men. Such consequences are not always to be avoided ; but they are susceptible of easy and prompt correction. They do not tend, in the least, to impair the high credit which is justly due to the Republicans of the State and Union, for the course they adopted in regard to the persons now in question. That course had for its object, not the particular benefit of these individuals only ; but was meant to exemplify the general justice of our policy to them, and to show the rest of our countrymen that whilst we loudly and inexorably condemned the

remissness of a portion of our fellow-citizens, in discharging the great duties they owed to their country, we dealt out justice with an even hand, and were as ready to applaud as to condemn.

"There has been, however, one exception in this liberal policy, and it is an exception of no ordinary character. It exists in the person of Rufus King.

"The dark cloud which overspread our political horizon, in the Fall of 1814, struck with dismay and terror some of the firmest of our patriots. The disasters which had befallen us, the difficulties which beset, and the dangers which threatened our country from every quarter, have made impressions too durable to be soon effaced. The causes which jeopardize, and the exertions which preserve the liberties of a nation, can never, while she is worthy of their enjoyment, cease to be a subject of the keenest solicitude, and most grateful recollection of her sons. These memorable events will long continue to occupy the minds and employ the pens of our ablest and best men.

"While enjoying a season of peace to which the nations of Europe are strangers; while advancing in wealth, population, and grandeur, with a rapidity without a parallel in the history of civilized man; while our individual happiness and prosperity kept pace with that of our beloved country, and all combined to render us the envy and admiration of the world; in those halcyon days when we knew war but by its distant echo, and the advantages our country derived from the sanguinary conflicts of Europe, we felt that our country was not only strong in its physical force, but inexhaustible in its resources, and safe in the patriotic devotion of all its citizens.

"The events of that memorable period awoke us, however, from those flattering dreams, and dissipated those dangerous delusions. When we expected to have found ourselves united, we were a divided people; when the exigencies of the country demanded all her resources.



both of men and money, her public coffers were kept empty and her armies unrecruited, by the ruthless efforts of faction.

"At this momentous crisis, which applied the touchstone to the hearts of men, when many of the stoutest were appalled and the weak despaired of the Republic, Mr. King was neither idle nor dismayed. His love of country dispelled his attachments to party. In terms of the warmest solicitude and in strains of the most impassioned eloquence, he remonstrated in his correspondence with the leaders of the opposition in this State and in the East, on the folly, the madness, and the mischief of their course; he contributed largely of his means to the loans of government; he infused confidence into the desponding, and labored to divest the timid of their fears; he sought Governor Tompkins, to whom, from the warmth of his devotion to his country's cause, and from the plenitude of his responsibility rather than of his powers, every eye was directed, and to him Mr. King communicated the patriotic ardor with which he was himself animated. . . .

"A few words more, on the only remaining subject which I have proposed to examine, and I close an appeal which has already been extended farther than was contemplated, or may, perhaps, be proper. It is certainly very extensively believed that our legislative halls have in repeated instances been made the theaters of the most exceptionable and unprincipled political bargains and coalitions; of coalitions in which men acted, not from the honest dictates of their consciences and with a single eye to the public interests, but from the unworthy motives of personal aggrandizement, not only disconnected with the public good, but in many instances in direct hostility against it. It is equally true, that in proportion as those charges have been credited abroad, the character of our State has sunk in the estimation of our sister States. It is not my intention, at this time, to enter into an investigation of the truth of

these charges. It will, doubtless, soon become necessary to probe them, as well as other transactions of a deeper cast, and still more injurious in their effects upon our public character, to their inmost recesses; to separate the innocent from the guilty; to vindicate the great body of our citizens from the charge of participating in the profligacy of the few, and to give rest to that perturbed spirit which now haunts the scenes of former moral and political debaucheries, to the end that this great and otherwise flourishing State may no longer be retarded in her march to that respectability and influence, to which she is so eminently entitled. But of this hereafter.

“It is, as I have already stated, apprehended by several honest men, whose devotion to the Republican cause, and whose good opinion I hold in the highest regard, that the support of Mr. King, at this time, might expose us to the suspicion of being influenced in our determination by the single view of securing the co-operation of a sufficient number of Federal members to effect the various legislative objects at the next session, for which parties generally, as it is natural they should, feel considerable solicitude.

“This is the matter fairly and plainly stated. Now, strong as my desire is that we should confer on Mr. King our support; sensible as I am of the tendency of such a measure, to repel and to put to shame the volumes of calumny and scurrility which have been heaped on us by those who deceive themselves with the hopes of breaking down the free spirit of a great party, and grateful as I know it would be to the feelings of distinguished Republicans in our sister States, still, if I believed there was adequate cause for such apprehensions, I would on that ground forego its adoption. For it is not so important that we succeed soon, as it is that, when we do so, we proceed in a manner the most unexceptionable. But I know well that those fears are groundless.



“Our party, in the first place, is not liable to suspicions of this kind. We have throughout sustained a character which has, and will continue to exempt us from them. We are not a ‘personal party.’ We have no individuals amongst us who claim and exercise the right of stipulating for our acts; nothing is done for us, that is not done by the will of the majority, and which is not well understood to be in unison with the general sentiments, and consonant to the wishes of the people. With a party so organized, and thus acting, motives so justly deprecated can seldom, if ever, operate, and, of course, the suspicion of their existence is not likely to arise.”

The result was that Mr. King was re-elected in February, 1820, with only three votes against him in the Lower House, and none in the Senate, the Clintonians and all others going to his support. If his election was a source of censure to the Albany Regency, it was the same to all the Democracy of the State, as all the Clintonians but three supported him. The Federal party was extinct outside of New York and New England as an organization, and the grand era of no party and general good feeling was beginning under James Monroe. No man at this day needs to apologize for Rufus King; nor does the character of any man who supported him or advanced his name need defense.

An attempt was made by some friends of Mr. Calhoun and other Republicans unfriendly to the advancement of Mr. Van Buren, especially in the South, to show that he had an evil motive, and was induced by a fraudulent contract with Mr. King to lead the Republican members of the Legislature to his support.

In the first place, there was no ground for fraud, there was nothing to bargain for; and no intelligent and reasonable man to-day could believe that either Martin Van Buren or Rufus King would have sold himself for any consideration then at stake, or perhaps ever afterwards could have been induced to do so on any conditions. Not only the conduct of Van Buren, but that of all the New York Republicans was extremely admirable and praiseworthy for the part they took in keeping Rufus King another term in the National Senate.

As to the slavery question which came up with the admission of Missouri, Mr. King had figured prominently, and adversely to the slaveholding interest, but the Democrats of New York had been cautious not to identify themselves with him on that point. Yet even the Democracy of the State was not yearning for the spread of this "institution," as in January, 1820, the House of Representatives passed a resolution, in which the Senate (including Van Buren) concurred without dissent, instructing Congressmen from that State to vote against the admission of any State with a pro-slavery constitution.

In 1819, in the midst of the Clinton and Van Buren feud, when the Council of Appointments was under the control of the Governor, Mr. Van Buren was removed from the office of Attorney-General, which he had honorably held for four years. In the following year, when the Council offered to restore him, he declined. During all this time he had also filled his place as Senator, to which he was

re-elected for four years in 1816. His law practice was now large, and he was already wealthy. But Mr. Van Buren now began to desire a larger field in which he might aid in fulfilling his early purpose, while he could as safely hold all he had gained in his own State.

David Crockett was one of the most prejudiced and unreliable men who ever wrote of Van Buren. His greatest piece of vanity was in imagining that Mr. Van Buren and himself were very much alike in qualities really fitting them for public place, that is, that they had no such qualities; while they differed in his being an honest man, and Van Buren being wholly destitute of honesty. He was a Democrat himself, he felt quite sure, but was always harping about Van Buren not being one. He thought Van Buren a many-sided man, and especially when first merging into politics, as being so utterly without principle as to be looking out constantly for the side of the majority. He made a frantic effort to prove that Mr. Van Buren was no Democrat by his supporting De Witt Clinton instead of Mr. Madison for the Presidency in 1812, and an attempt to show that Mr. Van Buren was opposed to the war. Then Mr. Van Buren's support of Rufus King for the National Senate was a most grievous sin, that such men as Crockett never could tolerate.

But even in New York the Federal party was losing its organization, and Rufus King, always one of the most able and generally trusted public men, was then beginning to lay aside party preference,

and act as he deemed best for the public interest. His unpartisan and reliable character justified Mr. Van Buren and other Democrats in supporting him for re-election to the Senate, and such astute politicians had no doubt in view the entire conversion of Mr. King to the ranks of the Democracy. At the outset the feeling in New York was not favorable to war, and in the support of Clinton, Mr. Van Buren simply followed the course of the party and people. When the election was over, and the war was actually begun, Mr. Van Buren was one of the first men of his party in support of the Administration.

In 1840 in some parts of the country the ridiculous rumor was started that General Jackson was about to desert Martin Van Buren and declare in favor of General Harrison. If the Whigs manufactured this fiction, it was certainly not from the desperation of their cause. It was also denied then that "Old Hickory" wrote the letter to Moses Dawson, of Cincinnati, a somewhat extravagant and unreliable writer, in 1837, in which he praised the course of Van Buren in general, and especially for his support of his own (Jackson's) Administration, and for his wisdom in recommending the entire separation of the public funds from any banking system.

Mr. Van Buren was elected a member of the convention to remodel the constitution of New York in 1821, although he had been chosen a Senator of the United States. Columbia County was still Federalist, and it was thought by many of the party leaders that

it would be of great importance to have Mr. Van Buren in the convention, and as he could not be elected from Albany, his residence, or his old home, the people of Otsego County took him up, although a non-resident, and elected him. This was to Van Buren a gratifying token of public appreciation. In this convention it was moved and sustained that the word *white* as a qualification for voting should be struck out of the electoral bill, Mr. Van Buren voting for the motion. He supported a modified property qualification for colored voters, and of a bill to that effect said that "he had voted against a total and unqualified exclusion, for he would not draw a revenue from them, and yet deny to them the right of suffrage. But this proviso met his approbation. They were exempted from taxation until they had qualified themselves to vote. The right was not denied, to exclude any portion of the community who will not exercise the right of suffrage in its purity. This held out inducements to industry, and would receive his support."

The most active member of this convention was Martin Van Buren, and in several respects no other member's influence was so great as his. Mr. Van Buren was never openly pugnacious, and really hated direct personal controversy. He knew the benefit of harmony in a deliberative body, and few men were better able than he to so conduct the actions of such an assemblage as to get the most work out of it, and that of the character he most desired. Here was to be found much of his magic.

Many of the unrepublican features of the constitution of New York disappeared in the work of this convention, and, perhaps, no man was more instrumental in effecting the change from the ridiculous old English forms in the laws and practice of the State than Mr. Van Buren. His speeches before this convention were of the highest character in the main, and although generally made without note or any great preparation, give him a higher standard of ability as a lawyer and legislator than has usually been admitted, especially at that time in his career.

In this convention Mr. Van Buren advocated a bill giving to the governor a similar veto power to the President to return a bill, and requiring a two-thirds vote to pass it over the veto. The following extract from a report of his speech on this bill will show his sentiments :—

“In the course of that discussion, the first question for our consideration is, whether it is wise and proper that a restriction of any kind should be placed upon the legislative power. On that subject it would seem that little doubt could remain. That a check of some kind is necessary, is a principle that has received the sanction, and been confirmed by the experience of ages. A large majority of the States in the Union, in which, if the science of government be not better understood, its first principles are certainly more faithfully regarded than in any other country, have provided restrictions of this sort. In the constitutions of the freest governments in Europe, the same principle is adopted. It is conceded in both the propositions before the committee.



“The one imposes the restriction by requiring two-thirds of the Legislature to pass a bill which may have been returned; and the other, by requiring not only a majority of the members present, but a majority of all the members elected. It would seem, therefore, that on the general principle that a restriction is proper, we are all agreed; and the question arises, is the amendment proposed by the gentleman from Dutchess more desirable, and better adapted to perform the office intended, than the proposition introduced by the committee? To arrive at a just conclusion on this subject, it will be necessary carefully to consider the design of such a check, and the advantages which are expected to result from it. Its object is, first, to guard against hasty and improvident legislation; but more especially, to protect the executive and judicial departments from legislative encroachments. With regard to the first of these objects, the prevention of hasty and improvident legislation, the system of every free government proceeds on the assumption that checks, for that purpose, are wise, salutary, and proper. Hence the division of all legislative bodies into distinct branches, each with an absolute negative upon the other. The talents, wisdom, and patriotism of the Representatives could be thrown into one branch, and the public money saved by this procedure; still experience demonstrates that such a plan tends alike to the destruction of public liberty and private rights. They adopted it in Pennsylvania, and it is said to have received the approbation of the illustrious Franklin; but they found that one branch only, led to pernicious effects. The system endured but for a season; and the necessity of different branches of their government, to act as mutual checks upon each other, was perceived, and the conviction was followed by an alteration of their constitution. The first step, then, towards checking the wild career of legislation, is the organization of two branches of the Legislature. Composed of different materials, they mutually watch over the

proceedings of each other. And having the benefit of separate discussions, their measures receive a more thorough examination, which uniformly leads to more favorable results. But between these branches, as they are kindred bodies, it might sometimes happen that the same feelings and passions would prevail—feelings and passions which might lead to dangerous results. This rendered it necessary to establish a third branch, to revise the proceedings of the two. But as this revisory power has generally been placed in a small body, or a single hand, it is not vested with an absolute, but merely with a qualified negative. And our experience has proved that this third provision against hasty and unadvised acts of the Legislature has been salutary and profitable. The people of this State have been in the habit of looking at the proceedings of the Legislature thus constituted, and they have been accustomed to this revisory power. Their objections have never been that this revisory power existed, or that it was distinct from the Legislature; but they do complain that it is placed in improper hands; in the hands of persons not directly responsible to the people, and whose duty forbids all connection with the Legislature. I am one of those who fully believe in the force and efficacy of that objection.

“The Council of Revision was disposed of by the vote of Tuesday, and I could have wished that all further discussion on the subject of its merits or demerits had been dispensed with; but a different course has been pursued. From the explanations of the chairman of the select committee, the public would infer that we voted for the abolition of the Council of Revision from feelings of delicacy and tenderness to the judiciary and to shield them from unjust calumny. Sir, my vote was not given from any such motive. I will not vote for the abolition of any article of the constitution out of kindness to any individual. I should be ashamed to have my vote go forth to my



constituents upon any such grounds. The Council of Revision has not answered the purposes for which our fathers intended it. This is the ground and motive upon which my vote was given. I object to the Council as being composed of the judiciary, who are not directly responsible to the people. I object to it, because it inevitably connects the judiciary—those who, with pure hearts and sound heads, should preside in the sanctuaries of justice, with the intrigues and collisions of party strife; because it tends to make our judges politicians, and because such has been its practical effect. I am warranted by facts in making this objection. If such had not been the case, I should not have voted for expunging the third article of the constitution. . . .

“But, sir, the prevention of party legislation is not the only, nor the most important reason, why we are disposed to give this power to the executive. Our Government is divided into separate and distinct departments—the executive, judicial, and legislative. And it is indispensable to the preservation of the system that each of these departments should be preserved in its proper sphere from the encroachments of the others. It is objected, however, to vesting the power in the hands of a single individual, on account of the liability of man to the abuse of power. But an instance of the abuse of power thus confided, has never existed, where it did not defeat the very object for which it was abused.

“Distinct branches are not only necessary to the existence of government, but when you have prescribed them, it is necessary that you should make them, in a great degree, independent of each other. No government can be so formed as to make them entirely separate; but it has been the study of the wisest and best men, to invent a plan, by which they might be rendered as independent of each other as the nature of government would admit. The legislative department is by far the strongest, and is

constantly inclined to encroach upon the weaker branches of government, and upon individual rights. This arises from a variety of causes. In the first place, the powers of that department are more extensive and undefinable than those of any other, which gives its members an exalted idea of their superiority. They are the representatives of the people, from which circumstance, they think they possess, and of right ought to possess, all the powers of the people. This is natural, and it is easy to imagine the consequences that may follow." . . .

## CHAPTER IV.

## MR. VAN BUREN IN THE SENATE OF THE UNITED STATES.

MR. VAN BUREN also favored extending the length of the term for which the Governor was elected; advocated enlarging the franchise privilege, and opposed a freehold qualification, except in negroes, and he did also favor the privilege of voting to be restricted to householders. He opposed a bill of rights, as distinct from or above the will of the people; he opposed a freehold qualification for a white man, and supported one in the negro; and sustained in the discussions the so-called New York idea that the dominant party should have the benefits of the public patronage.

The following extract from his speech on the elective franchise gives his views at that time, views which underwent some change subsequently:—

“Mr. Van Buren said he was opposed to the amendment under consideration, offered by the gentleman from Albany (Chief Justice Spencer); and he would beg the indulgence of the committee for a short time, while he should attempt to explain the reasons, which, in his opinion, required its rejection. The extreme importance which the honorable mover had attached to the subject, and the somber and frightful picture which had been

drawn by his colleague (the Chancellor), of the alarming consequences, which would result from the adoption of a course different from the one recommended, rendered it a duty, which those who entertained a contrary opinion owed to themselves and their constituents to explain the motives which governed them. If a stranger had heard the discussions on this subject, and had been acquainted with the character of our people, and the character and standing of those who find it their duty to oppose this measure, he might well have supposed that we were on the point of prostrating, with lawless violence, one of the fairest and firmest pillars of the Government, and of introducing into the sanctuary of the Constitution, a mob or a rabble, violent and disorganizing as were the Jacobins of France, and furious and visionary as the rascals of England are, by some gentlemen, supposed to be. The honorable gentleman from Albany (the Chancellor) tells us that if we send the constitution to the people without the provision contemplated by the proposition now under consideration, it will meet with the scorn of the wise, and be hailed with exultation by the vicious and the profligate. He entertained, he said, a high personal respect for the mover of this amendment, and also for his learned colleague, who had so eloquently and pathetically described to them the many evils and miseries which its rejection would occasion; he declared his entire conviction of his sincerity in what he had uttered, his simplicity of character he had himself so feelingly described; his known candor and purity of character would forbid any one to doubt that he spoke the sentiments of his heart. But believing as he did, that those fears and apprehensions were wholly without foundation, it could not be expected that he would suffer them to govern his conduct.

“Permit me to ask (said Mr. Van Buren) where are the wise men to be found, who it is supposed would pass a censure so severe on our conduct? Did the honorable

gentleman allude to the wise men of the East? Throughout their dominions, not a constitution is to be found containing, in form or substance, the provision contemplated by the amendment. Did he allude to their descendants in the West? In Ohio, and partially in Illinois and in Indiana? Their constitutions were in this particular as ours would be, if this amendment was adopted. Did he allude to those of the South? In none of their constitutions, nor in those of any State in the Union, except North Carolina, was such a provision as that proposed by the amendment to be found. In the Constitution of the Union, too, which has been in operation long enough to test the correctness and soundness of its principles, there was no excessive freehold representation. That Constitution was now the boast and pride of the American people, and the admiration of the world. He presumed there was not an individual in that committee who would question the sufficiency of the General Government, for the protection of life, liberty, and property. Under this Government, and the several State constitutions, the States had been, and continued to be, rapidly advancing in public improvements, and the Nation was in the full fruition of the blessings of civil and religious liberty; every one was sitting quietly and safely under his own vine and fig-tree, and every one enjoying, without molestation, the fruits of his own labor and industry. . . .

“There were two words, continued Mr. Van Buren, which had come into common use with our Revolutionary struggle; words which contained an abridgment of our political rights; words which, at that day, had a talismanic effect; which led our fathers from the bosom of their families to the tented field; which for several long years of toil and suffering, had kept them to their arms; and which finally conducted them to a glorious triumph. They were ‘taxation and representation;’ nor did they lose their influence with the close of that struggle. They

were never heard in our halls of legislation, without bringing to our recollections the consecrated feelings of those who won our liberties, or without reminding us of every thing that was sacred in principle. . . .

"Apply, said he, for a moment, the principles they inculcate to the question under consideration, and let its merits be thereby tested. Are those of your citizens represented, whose voices are never heard in your Senate? Are these citizens in any degree represented or heard, in the formation of your courts of justice, from the highest to the lowest? Was, then, representation in one branch of the Legislature, which by itself can do nothing, which, instead of securing to them the blessings of legislation, only enables them to prevent it as an evil, anything more than a shadow? Was it not emphatically 'keeping the word of promise to the ear, and breaking it to the hope?' Was it not even less than the virtual representation, with which our fathers were attempted to be appeased by their oppressors? It was even so; and if so, could they, as long as this distinction was retained, hold up their heads, and, without blushing, pretend to be the advocates for that special canon of political rights, that taxation and representation were, and ever should be, indissoluble? He thought not.

"In whose name, and for whose benefit, he inquired, were they called upon to disappoint the just expectations of their constituents, and to persevere in what he could not but regard as a violation of principle? It was in the name, and for the security of 'farmers,' that they were called upon to adopt this measure. This, he said, was indeed, acting in an imposing name; and they who used it knew full well that it was so. It was, continued Mr. Van Buren, the boast, the pride, and the security of this Nation, that she had in her bosom a body of men who, for sobriety, integrity, industry, and patriotism, were unequaled by the cultivators of the earth in any part of the



known world; nay, more, to compare them with the men of similar pursuits in other countries, was to degrade them. And woeful must be our degeneracy, before anything which might be supposed to affect the interests of the farmers of this country, could be listened to with indifference by those who governed us. . . .

“But let us, said he, consider this subject in another and different point of view; it was their duty, and he had no doubt it was their wish, to satisfy all, so that their proceedings might meet with the approbation of the whole community; it was his desire to respect the wishes and consult the interests of all; he would not hamper the rich nor tread upon the poor, but would respect each alike. He would, he said, submit a few considerations to the men of property, who think this provision necessary for its security, and in doing so, he would speak of property in general, dropping the important distinction made by the amendment offered, between real and personal estate. Admitting, for the sake of argument, that the distinction was just, and wise, and necessary, for the security of property, was the object effected by the present regulation? He thought not; property was not now represented in the Senate to the extent it was erroneously supposed to be. To represent individual property, it would be necessary that each individual should have a number of votes, in some degree at least, in proportion to the amount of his property; this was the manner in which property was represented in various corporations and in moneyed institutions. Suppose in any such institution one man had one hundred shares, another one share, could you gravely tell the man who held one hundred shares, that his property was represented in the direction, if their votes were equal? To say that because a man worth millions, as is the case of one of this committee, has one vote, and another citizen worth only two hundred and fifty dollars in real estate has one vote for Senators, that therefore their

property is equally represented in the Senate is, to say the least, speaking very incorrectly; it is literally substituting a shadow for a reality; and though the case he had stated, by the way of illustration, would not be a common one, still the disparity which pervaded the whole community was sufficiently great to render his argument correct.

“If to this it was answered, as it had been by the gentleman from Albany (Mr. Van Vechten), that the amount was not material; that the idea of their representing freeholders would be sufficient; his reply was, that this purpose was already effected by the constitution as it stands. It now provides that the Senators shall be freeholders; and that part of the constitution it was not proposed to alter. There was no objection to fixing the amount of the freehold required in the elected, and to place it on a respectable but not extravagant footing. If, therefore, an ideal representation of property was of any value, that object was fully obtained without the amendment. But the preservation of individual property is not the great object of having it represented in the Senate. . . .

“He said he was an unbeliever in the speculations and mere theories on the subject of government, of the best and the wisest men, when unsupported by, and especially when opposed to, experience. He believed with a sensible, and elegant, and modern writer, ‘that constitutions are the work of time, not the invention of ingenuity; and that to frame a complete system of government, depending on habits of reverence and experience, was an attempt as absurd as to build a tree or manufacture an opinion.’

“All our observation, he said, united to justify this assertion; when they looked at the proceedings of the convention which adopted the Constitution of the United States, they could not fail to be struck by the extravagance, and, as experience had proved, the futility of the fears and hopes that were entertained and expressed, from the differ-



ent provisions of that Constitution, by the members. The venerable and enlightened Franklin had no hope if the President had the qualified negative, that it would be possible to keep him honest; that the extensive power of objecting to laws would inevitably lead to the bestowment of *douceurs* to prevent the exercise of the power; and many, very many of the members, believed that the General Government, formed as it was, would, in a few years, prostrate the State governments; while, on the other hand, the lamented Hamilton, Mr. Madison, and others, distressed themselves with the apprehension, that unless they could infuse more vigor into the Constitution they were about to adopt, the work of their hands could not be expected to survive its framers. Experience, the only unerring touchstone, had proved the fallacy of all those speculations, as it had also those of the framers of our State constitution, in the particular now under consideration; and having her records before them, he was for being governed by them." . . .

On February 6, 1821, Mr. Van Buren was elected a Senator of the United States by a majority of seventeen in the House and eight in the Senate of the State. This now for the first time brought him before the Nation, and into the wider field which his ambition craved. At this time he had a fine law practice and stood very high in his profession, too high to be the mere politician he was. Benjamin F. Butler, of Kinderhook, who had become a student in his office in 1811, was now his partner.

On June 24, 1820, Butler wrote to Jesse Hoyt concerning their situation:—

"DEAR FRIEND,—I thank you for your kindness in attending to my Bouck cause. The letter inclosing the

[wrong or wing] bill and the decree, came to me charged \$1.11 postage. I mention this for no other reason, than that you may be informed of the carelessness of the person by whom you sent it. The letter to Judge Platt I will deliver. He is on the tour of the Northern circuit—holds the Washington circuit this week, the Troy circuit next week, and I shall very probably see him on his return. I have been here three or four days; found every thing in an elegant state of confusion, but have got pretty much arranged for business. Take it altogether, we have the pleasantest establishment in the city, if not in the State. We occupy the whole lower floor of the Secretary's house. Mr. Van Buren has the front room, with the library. I keep my office in the back room, which is cool and pleasant, besides being better adapted for study than the other. We have two students besides Lorenzo."

In July of the same year Butler again wrote to Hoyt about politics and the way for Mr. Van Buren to become the Erskine of the State, in these warm words :—

"Your New York classmen are a troublesome race—perfect snarlers and marplots. Mr. Van Buren stands higher throughout the State than he ever did—witness the toasts at the various celebrations. But if I were in his place I would trouble myself but little about the carpings of such men as you name; they can do nothing without him. What would have become of the opposition if it had not been for him? I will say more—if I was Van Buren, I would let politics alone. He can be and will be the Erskine of the State, which is an ambition more laudable than the desire of political preferment. He yesterday opened a cause in the Supreme Court in the most concise, elegant, and convincing argument I almost ever heard.

"Believe me, yours truly, B. F. BUTLER."

The following brief letters written by Mr. Van Buren to Jesse Hoyt will serve to show how he had gotten on in the world, as well as how fastidious and concerned he was about small things:—

“JUNE 25, 1819.

“DEAR SIR,—I arrived here last night from New York, and go to-day with General Root in his chaise (or chair) to Delhi. I hope to be in Albany on Friday next. I send by boat my valise, containing some clothes which I wish you would send to my washer-woman. She is the same who washes for Mr. Bleecker.

“Yours in haste,

M. V. BUREN.”

“NOVEMBER 17, 1819.

“DEAR SIR,—I want about fifteen or twenty gallons of table-wine, say prime Sicily, Madeira, or some other pleasant, but light and low wine to drink with dinner. I wish you would get Mr. Duer, who takes this, to select it for me, and buy it and send it up. Get me also a box of good raisins and a basket of good figs, and send them with the wine. There is yet ninety-four dollars (I believe that is the sum) due me from Mr. George Griswold on my fee in the Washington [that seems to be the word] cause, which I wish you would get from him, and pay for the above articles out of it, and remit the balance to me by Mr. Duer. If you don't get it, Commodore Wiswall will give you the money, and receive it here again from me. Excuse the trouble I give you. The report you mentioned of the Comptroller has not reached here.

Your friend,

M. V. BUREN.”

“APRIL 29, 1820.

“DEAR SIR,—I shall leave here with Tuesday's boat, and will stay in New York some time. I wish you would get for me, from Mrs. Henderson, the use of her little parlor and a bed-room, and if she can not accommodate me, get it elsewhere. I would, however, prefer altogether

to stay with her, but can't do without a room other than a bed-room. I think the election is safe.

"Yours in haste,

M. V. BUREN."

"JUNE 21, 1820.

"DEAR SIR,—Just as I was going from New York, Abraham P. Van S——, who is a clerk in Jacob I. Barker's store, 456 Pearl Street, a nephew of John C. H——, Esq., borrowed ten dollars of me, under a promise to send it up, which he has not done; and, from what Mr. Hogeboom tells me, I apprehend he did not intend to do it. I wish you would see him and make him pay it to you. Ask the Secretary about the inclosed. I have never heard anything about it since I paid my ten dollars.

"Your friend,

M. VAN BUREN."

"AUGUST 23d.

"DEAR SIR,—I inclose you a draft this moment received from Mr. Kaufner [or Kaufman]. Be so good as to use it as before directed, and to call on Mr. Kaufman, and say to him that I have received the one hundred and fifty dollars; that his cause has not been reached on the calendar, and, of course, goes off until the next term. My prospects of success are good. Give Mr. K. the receipt on the other side.

"Your friend,

M. V. BUREN."

"ALBANY, June 2, 1822.

"DEAR SIR,—I wish you would pay my old friend Mr. Carter what I owe him, and ask him to discontinue his paper. It is unnecessary to say that I am influenced in this solely by a necessity to curtail my expenses of that description, which are too many.

"Your friend,

M. V. BUREN."

"NOVEMBER 14, 1822.

"DEAR SIR,—Why did I not see more of you at New York? Judge Skinner, General Marcy, and myself will

come down with Saturday's boat, and wish you to engage rooms for us at the Mechanics' Hall. If he can give us his little parlor for a sitting-room, and bed-rooms, it will be well; if not, any other good rooms will do, so that they be not too high. I would rather stay on board a vessel than go into his third heavens. If you can not do better you may let General Marcy's room be on high, and he can have the use of my room to do his business in, etc.

"In haste, your friend, M. V. BUREN."

"JANUARY 31, 1823.

"MY DEAR SIR,—I am overwhelmed with the account of poor Cantine's death. I know that nothing from me can be necessary to secure your zealous attention to Mrs. Cantine's interest, if anything can be done for her. I have written to Mr. Hoes to be at Albany; you will find him a most useful man. I have also written to Mr. Buel, which letter I want you to see. Among you all you must do the best you can. If anything can be done for Mrs. C. I hope and believe no Republican will oppose it. Mr. Hoes and myself are responsible to Mr. Buel for \$1,500 of the last payment. If nothing better can be done, no person ought at least to be appointed who had not previously purchased the establishment; and under no circumstances ought any one to be appointed who is not a sound, practicable, and, above all, discreet Republican. Without a paper thus edited at Albany we may hang our harps on the willows. With it, the party can survive a thousand such convulsions as those which now agitate and probably alarm most of those around you. Make my sincere thanks to Mr. Duer and Mr. Sutherland for their kind letters, and tell them I will write them soon.

"In haste, yours truly, M. VAN BUREN."

Crosswell, who succeeded Cantine in the "Argus," was a warm supporter of Van Buren and the

Regency. Politics had now reached that point in New York, it was said, at which this sentiment was a truism: "You and I and all politicians are men of principle in proportion to our interests." Although surrounded apparently by men who deemed every thing fair in politics, it can not be shown that Mr. Van Buren ever did entertain a sentiment so unworthy and unmanly as the foregoing. Any pupil of Aaron Burr might have come honestly into possession of such a principle. But however Van Buren may have imitated him in political diplomacy and management, in private character and the genuine principles of private life he was no follower of Burr. Against Mr. Van Buren's private character no unfavorable charge could be sustained, and there are several good reasons, beyond his open public acts, which will appear in the course of this volume that place in extreme doubt the truth of the great part of the political intrigue attributed to him.

Mr. Parton makes the following statement of what he thinks the code of Burr would have been had it been fully written out, and adds at least some of these ideas found lodgment in Van Buren's mind, and were exemplified in his life:—

"THE CODE OF THE NEW YORK POLITICIAN.

"I. Politics is a Game, the prizes of which are offices and contracts.

"II. The Game, so far as Our Side is concerned, must be played with strict fairness. With respect to the Other Side, all is fair in politics, as in war.

"III. In elective governments all politics necessarily resolve themselves into a contest for the highest place. That



gained, all is gained. To that end, therefore, every thing else is to be subordinate.

“IV. The people are sovereign, as Queen Victoria is sovereign. Treated always with the profoundest deference, the sovereign is NOTHING. In England the ministers, in America the politicians, are every thing. But the sovereign is to be humored to the top of his bent, and so led.

“V. Fidelity to party is the sole virtue of the politician. He only is a politician who would vote unhesitatingly for the Devil, if the Devil were regularly nominated. One sin only is unpardonable—bolting.

“VI. No man must be allowed to suffer on account of his fidelity to his party. No matter how odious to the people he may have made himself by his fidelity, he must be provided for the moment it can be safely done.

“VII. The party door must always stand wide open for the reception of converts from the other side, but shut rigorously against repentant renegades.

“VIII. Personal enmities are to be most scrupulously avoided. In dealing with an opponent, he must be treated with a view to his one day becoming ‘one of us.’

“IX. Nothing is more fatal in politics than a premature publication of the program. Nothing is to be done to-day which can as well be done to-morrow. A surprise is often half a victory.

“X. Every partisan must contribute to a contest both according to his means and his disposition ; rich, liberal men, money ; rich, mean men, influence and name ; active men, labor ; idle men, the show of their presence ; eloquent men, eloquence ; cool, shrewd men, management and direction ; all men, without one exception, votes.

“XI. Local organization is the main reliance for victory. Every ward, town, village, hamlet, neighborhood, must have its party organization—its every voter recorded and his disposition ascertained and noted down.

“XII. A great State influence is the preliminary and



price of national distinction. No man can be great in Washington who is not master of his own State ; who is not the Clay of Kentucky, the Crawford of Georgia, the Calhoun of South Carolina, the Webster of Massachusetts. On the same principle, a man must be pre-eminent in his county, before he can be powerful at Albany. Political distinction, like charity, must begin at home. It must have an impregnable basis of locality, and expand from a fixed center. A man who carries a county in his pocket can have what he wants at Albany ; a man who is master of a State can have his choice of the pickings at Washington.

“ XIII. When there is a conflict between the party in the whole Union and the party in the State, or between the party in the State and the party in the county, a man must adhere to the behests of a majority of his own local organization. That is to say, a private must obey the orders of his own immediate captain, though that captain may be in mutiny against his colonel. That is the captain’s affair, not the private’s. Thus, if Tompkins is the regular nominee of the party in New York, and Crawford is the regular nominee of the party in the Union, the New York Democrat must support Tompkins, until the party leaders in New York decide to drop Tompkins.

“ XIV. It is a great art to enlist young men in the cause. Young men work more and demand less than old men. Besides, they have faith ; a commodity unknown to the old politician.

“ XV. In a political manager many qualities are desirable, but only one is indispensable, namely, discretion.

“ XVI. Many men can speak ; few can hold their tongue. Many men can act ; few know how to wait. One half the politician’s art consists in silence and waiting. As that helmsman is the most skillful who keeps the ship to her course with the fewest movements of the helm, as that is the great chess-player who wins by the fewest moves,

so that politician will best succeed who speaks seldom, does little, and writes never. But when he does move, the result must be an era.

“XVII. A politician once well on the course, and fit to be upon it, can only be destroyed by his own hands.

“XVIII. Newspapers are indispensable auxiliaries. Editors are to be unscrupulously used, but never implicitly trusted. An editor who is, in fortune, one degree above the starvation point, is in the condition most favorable to complete efficiency. When an editor has become personally powerful, or even pecuniarily independent, his utility as a party tool is gone. If he shows the slightest symptom of restiveness or aspiration, the very highest talent the party can command must be brought to bear in effecting his suppression.

“XIX. The end and aim of the professional politician is to keep great men down, and to push little men up. Little men, owing all to the wire-puller, will be governed by him. Great men, having ideas and convictions, are perilous, even as tools; must be used cautiously, and never advanced to posts of influence and honor. Indeed, it were better to abolish them altogether.”

At all events, on the 3d of December, 1821, Mr. Van Buren took his seat in the Senate of the United States, and was placed on the committees of finance and judiciary, serving most of his term as chairman of the latter committee.

He was essentially an active man, and his energy and ability soon began to be felt in his new position. He supported the bill for the abolition of imprisonment for debt, and favored an amendment of the Constitution to prevent the election of President from being thrown into the House, although it

is not clear that his plan would have done so at all times. He proposed to divide the States into as many districts as there were electors in each, every district choosing an elector, all the electors to cast their votes, and in case of no choice for President and Vice-President, for them again to vote to decide between the two highest candidates, and no choice then being made, to fall back upon the House in the old way; he voted for the Tariff or American bill in 1824, but deprecated the question becoming a political one; he supported a bill for providing for opening a trade with New Mexico; he proposed a revision of the judiciary, and favored the increase of the number of judges on the Supreme Bench, but opposed the separation of the Supreme Court from the Circuit; he favored a uniform bankrupt law reaching all classes of business; he opposed with great earnestness the Panama Mission or the scheme (favored by the Administration) of sending representatives to the American Congress to be assembled on the Isthmus of Panama or in Mexico; he opposed all schemes of internal improvement on the part of the General Government without submitting the matter to the people, to the States, in amendment; and there were few of the great questions before Congress in which he did not appear conspicuously; and from his ability as a speaker, his skill in handling his subjects, his knowledge, his decorous and courteous manners, and his perfectly imperturbable spirit he took a place among the most noteworthy men of the Senate.

Although Van Buren supported by his vote Mr. Clay's tariff measures in 1824 and 1828 according to the will of his constituents, it does not appear that he was ever very warm in his tariff tendencies; at any rate he, soon after this time, became one of the most pronounced anti-tariff men in the country. Even in 1827, in a speech at Albany, he deprecated the step he had been obliged to take, and predicted the downfall of the "American System."

But any statement as to Mr. Van Buren's course in Congress or as to his ability and views would be inadequate without the use of his own language. The following extracts from reports of his speeches on a few of the leading subjects will be a sufficient exposition of his views:—

"Having said this much upon that branch of the subject, Mr. Van Buren would proceed to state briefly another point, in which the proposition he offered, differed essentially from the others proposed, and in which difference was involved a principle in the Government, as important, in his view, as any which had for some time been discussed on that floor. In doing so, it was a subject of gratification to him, that this principle had no reference to the relative and conflicting interest of the States in the Confederacy, but looked equally to the welfare and security of all. To a correct understanding of the point he wished to present, it became necessary to take a brief view of the principle upon, and the circumstances under which, our present form of Government was established. Under the Articles of Confederation, the representation of each State in the General Government was equal. The Union was in all respects purely federal, a league of sovereign States upon equal terms. To remedy certain defects by supplying certain powers, the convention which framed the present Constitution was called. That convention, it is now well known,

was immediately divided into parties, on the interesting question of the extent of power to be given to the new governments; whether it should be federal or national; whether dependent upon or independent of the State governments. It is equally well known that that point, after having several times arrested the proceedings of the convention, and threatened a dissolution of the confederation, subsequently divided the people of the States on the question of ratification. He might add that with the superadded question of what powers have been given by the Constitution to the Federal Government, to the agitation which the feelings which sprung up in the convention greatly contributed, it had continued to divide the people of this country down to the present period. The party in the convention in favor of a more energetic government being unable to carry, or, if able, unwilling to hazard the success of the plan with the States, a middle course was agreed upon. That was, that the Government should be neither federal nor national, but a mixture of both. That of the legislative department, one branch, the power of representation should be wholly national, and the other, the Senate, wholly federal. That in the choice of the Executive, both interests should be regarded, and that the judicial should be organized by the other two. But, to quiet effectually the apprehensions of the advocates for the rights and interest of the States, it was provided that the General Government should be made entirely dependent for its continuance on the will and pleasure of the State governments. Hence, it was decided that the House of Representatives should be apportioned among the States, with reference to their population, and chosen by the people; and power was given to Congress to regulate and secure their choice, independent of, and beyond the control of the State governments. That the Senate should be chosen exclusively by the State Legislatures, and that the choice of electors of President and Vice-President, although the principle of their appointment was established by the Constitution, should in all respects, except the time of their appointment and of their meeting, be under the exclusive control of the Legislatures of the several States. The scheme of Government thus formed, was submitted to the people of the

respective States, through their Legislatures, for ratification. For a season its ratification was warmly opposed in almost every State. Although the control over the choice of but one branch of one department of the Government was vested in Congress, danger to the rights of the States was everywhere apprehended, and the question of ratification of the Constitution rendered extremely doubtful.

“To stem this torrent of opposition, the most distinguished commentators on the proposed plan (the authors of the *Federalist*) placed strongly and truly before the people of the States, the fact of the dependence of the General upon the State governments, and the Constitutional right of those governments, or even a majority of them, if the power they had conferred should be abused, to discontinue the new Government by withholding its Senate and Chief Magistrate. Among other things they said: ‘The State governments may be regarded as constituent and essential parts of the Federal Government, whilst the latter is no wise essential to the operation or organization of their power. Without the intervention of the State Legislatures, the President of the United States can not be elected at all. They must in all cases have a great share in his appointments, and will, perhaps, in most cases themselves determine it. The Senate will be elected absolutely and exclusively by the State Legislatures. Even the House of Representatives, though drawn immediately from the people, will be chosen very much under the influence of that class of men whose influence over the people obtains for themselves an election into the State Legislatures. Thus each of the principal branches of the Federal Government will owe its virtue more or less to the favor of the State governments, and must consequently feel a dependence which will be much more likely to beget a disposition too obsequious than too overbearing toward them.’ The ratification by a sufficient number of the States was obtained. On reference, however, to the proceedings of the State conventions, it will be seen, that in several of the States, the control by Congress, over the choice of Representatives merely, was strongly remonstrated against; that amendments were proposed for its qualification, by the States of South Carolina, North Carolina, Virginia,



Massachusetts, New Hampshire, Rhode Island, and New York. The most of them resolved that it should be a standing instruction to their delegates in Congress, to endeavor to effect that and other amendments proposed. The proposition of the gentleman from New Jersey, to which Mr. Van Buren had alluded, would, if adopted, break an important link in the chain of dependency of the General upon the State governments. It would surrender to the General Government all control over the election of President and Vice-President, by placing the choice of electors on the same footing with that of Representatives. It would at this time be premature to go into a minute examination of the provisions of the resolution alluded to, to show that such would be its effects. Upon examination, it would be found that such would be its construction. That it does in substance what another proposition, upon their table, originating in the other House, does in words. But even was there doubt upon that subject, that doubt should be removed by an express provision, reserving to the States their present control over the election, except as to what is particularly provided for in the resolution now proposed. If it is fit to take from the States their control over the choice of electors of President and Vice-President, and give it to the Federal Government, it would be equally proper, under the popular idea of giving their election to the people, to divide the States into districts for the choice of Senators, as was proposed in the convention, and give to Congress the control over their election also. If the system be once broken in upon in this respect, the other measures will naturally follow, and we will then have what was so much dreaded by those who have gone before us, and what he feared would be so much regretted by those who come after, a completely consolidated Government, a Government in which the State governments would be no otherwise known or felt than as it became necessary to control them. To all this Mr. Van Buren was opposed. He was so, because it was a matter not necessary or fitly connected with the subject under consideration; that being a question between the States themselves, or to their relative interest, a question which might and ought to be settled, and leave their relation to the Federal Government as it stands at present.



The other is a question between the States, collectively, and the Federal Government, affecting most materially the relation they now bear to each other. But, even if it were presented under different circumstances, he would oppose it. Because, however ardent his attachment to the Federal Government, and however anxious he might be to sustain it, in the exercise of the powers given to it by the Constitution, and, in that respect, he would, he trusted, go as far as any man ought to go, he was unwilling to destroy or even to release its dependence on the State governments. At the time of the adoption of the Federal Constitution, it was a question of much speculation and discussion, which of the two governments would be most in danger from the accumulation of influence by the operation of the powers distributed by the Constitution. That discussion was founded on the assumption that they were, in several respects, rival powers, and that such powers would always be found in collision. The best lights which could then be thrown upon the subject, were derived from the examples afforded by the fates of several of the governments of the Old World, which were deemed to be, in some respects, similar to ours. But the governments in question having operated upon, and been administered by, people whose habits, character, tempers, and condition, were essentially different from ours, the inferences to be derived from that source were, at best, unsatisfactory.

“By the present Judiciary act it is provided, ‘that the laws of the several States, except where the Constitution, treaties, or statutes of the United States shall otherwise require or provide, shall be regarded as rules of decision in trials at common law, in courts of the United States, in cases where they apply.’

“In many, if not most, of the controverted cases between individuals, of which the Federal courts derive jurisdiction from the character of the parties, the titles under which they claim, or from other sources, the local or State law forms the rule of decision. An intimate knowledge of that is, therefore, an indispensable qualification for a judge of the Supreme Court. The difficulty of acquiring and retaining it is infinitely greater than would, on first impression, be supposed. Of the twenty-

four States, there are not two whose laws, affecting the rights of persons and property, are in all respects the same. Between many the differences are as great as is usual between States on different continents. Each has an established system, wholly unconnected with its sister States. The system is composed of portions of the English common law, adopted with various modifications and alterations, of more or less of the principle of the English equity system, of the statutes of the States, and the constructions which have, from time to time, been put upon them by the State judicatories. It is true that these are all to be found in books, but we well know how little apt men are, when they can avoid it, to study subjects of this description, and men of experience in these things know the extreme difficulty, not to say impracticability, of making one's self at all familiar with them in any other way than by actual practice in the courts, either in examining them for argument, or in deciding them from day to day. . . .

“There is another consideration belonging to this branch of the subject, entitled to great weight. It is impossible, with the best intention on the part of the Executive branch of the Government, to avoid bad appointments. Influence and favoritism sometimes prevail, and to a want of correct information the Government is always exposed. Incompetent men, therefore, will sometimes be appointed. If confined to the discharge of term duties only, the country may be saddled with them during their whole lives. They might assent or dissent at terms, and the kindness of their brethren, and their respect for the character of the court, would induce them to do as the rest. But the case is greatly otherwise, if they are obliged to preside at circuits, to discharge their high duties in the face of the people, unaided by their brethren of the bench. There is a power in public opinion in this country, ‘and I thank God for it;’ for it is the most honest and best of all powers, which will not tolerate an incompetent or unworthy man to hold in his weak or wicked hands, the lives and fortunes of his fellow-citizens. This power operates alike upon the Government and the incumbent. The former dare not disregard it, and the latter can have no adequate wish that they should, when he once knows the estimation in which he is held. This public ordeal, therefore, is of

great value; in my opinion, much more so than what has, with some propriety, been called the scare-crow of the Constitution, the power of impeachment.

“ But there is still another view of the subject, bearing with irresistible force, against the separation of the justices of the Supreme Court, under any circumstances, from the Circuit Courts, and against the adoption of any system, which, though it does not directly, may, ultimately, lead to that result. . . .

“ Hitherto, the justices of the Supreme Court have resided in the States, and with a single individual exception, within their respective circuits. Before the act of 1802, because the principal part of their business was there; since 1802, because the law made it their duty. If other provision is made for holding the circuits, the whole business of the justices of the Supreme Court would be done here, and, sooner or later, they would, in the natural course of things, all move to, and permanently reside at, the seat of Government.

“ From that result, inferences, of a contrary character, but uniting in deprecating its policy, are drawn. Some think they see in it danger to the court, others apprehend danger from the court. In my judgment both are right.

“ It has been justly observed elsewhere, that ‘ there exists not upon earth, and there never did exist, a judicial tribunal clothed with power so various and so important as the Supreme Court.’ . . .

“ Not only are the acts of the National Legislature subject to its review, but it stands as the umpire between the conflicting powers of the General and State Governments. That wide field of debatable ground between those rival powers is claimed to be subject to the exclusive and absolute dominion of the Supreme Court. The discharge of this solemn duty has not been unfrequent, and certainly, not uninteresting. In virtue of this power, we have seen it holding for naught the statutes of powerful States, which had received the deliberate sanction, not only of their Legislatures, but of their highest judicatories, composed of men of venerable years, of unsullied purity, and unrivaled talents, statutes, on the faith of which immense estates had been invested, and the inheritance of the widow and the orphan were suspended. You have seen such statutes abrogated

by the decision of this court, and those who had confided in the wisdom and power of the State authorities, plunged in irreparable ruin. Decisions, final in their effect, and ruinous in their consequences. I speak of the power of the court, not the correctness or incorrectness of its decisions. With that we have here nothing to do.

“But this is not all. It not only sits in final judgment upon our acts, as the highest legislative body known to the country; it not only claims to be the absolute arbiter between the Federal and State governments, but it exercises the same great power between the respective States forming this great confederacy, and their own citizens. By the Constitution of the United States, the States are prohibited from passing ‘any law impairing the obligation of contracts.’ This brief provision has given to the jurisdiction of the Supreme Court a tremendous sweep. Before I proceed to delineate its tendency and character, I will take leave to remark upon some extraordinary circumstances in relation to it. We all know the severe scrutiny to which the Constitution was exposed. Some from their own knowledge, others from different sources. We know with what jealousy, with what watchfulness, with what scrupulous care its minutest provisions were examined, discussed, resisted, and supported by those who opposed, and those who advocated its ratification. But, of this highly consequential provision, this provision which carries so great a portion of all that is valuable in State legislation to the feet of the Federal judiciary, no complaints were heard, no explanations asked, no remonstrances made. If there were, they have escaped my researches. It is most mysterious, if the Constitution was then understood, as it now is, that this was so. An explanation of it has been given, how correct I know not.

“The difficulties which existed between us and Great Britain relative to the execution of the treaty of peace, are known to all. Upon the avowed ground of retaliation for the refusal of England to comply with the stipulation on her part, laws were passed, between the years 1783 and 1788, by the States of Virginia, South Carolina, Rhode Island, New Jersey, and Georgia, delaying execution, liberating the body from imprisonment on the delivery of property, and admitting execution to be dis-

charged in paper money. Although those laws were general in their terms, applicable as well to natives as to foreigners, their chief operation was upon the British creditors, and such was the leading design of their enactment. England remonstrated against them as infractions of the stipulation in the treaty, that creditors, on either side, should meet with no impediments to the recovery of the full value, in sterling money, of all debts previously contracted, and attempted to justify the glaring violations of the treaty, on her part, on that ground. An animated discussion took place between the Federal Government and Great Britain, and between the former and the States in question, upon the subject of the laws referred to, their character and effect. It was during this time that the Constitution was formed and ratified. It is supposed that the difficulties, thus thrown in the way of adjustment with England, through the acts of the State governments, suggested the insertion in the Constitution of the provision in question, and that it was under a belief that its chief application would be to the evil then felt, that so little notice was taken of the subject.

“If it be true that such was its object, and such its supposed effect, it adds another and solemn proof to that which all experience has testified, of the danger of adopting general provisions for the redress of particular and partial evils. But, whatever the motives that led to its insertion, or the cause that induced so little observation on its tendency, the fact of its extensive operation is known and acknowledged. The prohibition is not confined to express contracts, but includes such as are implied by law, from the nature of the transaction. Any one, conversant with the usual range of State legislation, will, at once, see how small a portion of it is exempt, under this provision, from the supervision of the seven judges of the Supreme Court. The practice under it has been in accordance with what should have been anticipated.

“There are few States in the Union, upon whose acts the seal of condemnation has not, from time to time, been placed by the Supreme Court. The sovereign authorities of Vermont, New Hampshire, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, Missouri, Kentucky, and Ohio,



have, in turn, been rebuked and silenced, by the overruling authority of this court. I must not be misunderstood, sir, as complaining of the exercise of this jurisdiction by the Supreme Court, or to pass upon the correctness of their decisions. The authority has been given to them, and this is not the place to question its exercise. But this I will say, that, if the question of conferring it was now presented for the first time, I should unhesitatingly say that the people of the States might with safety be left to their own Legislatures, and the protection of their own courts. . . .

“But, said he, when I say I am in favor of a bankrupt system, I mean to be understood as speaking of a bankrupt system in the language of the Constitution, and such as was in contemplation by the framers of that instrument. All the other provisions of the bill, he said, were of that character, and had met his approbation in the committee. The 93d section was not, and had never received his sanction. \* It was an insolvent, and not a bankrupt law. It was such a bill as Congress had no right to pass. He said he was aware of the ingenuity which had been, and might again be used, to confound the bankrupt and insolvent systems—an ingenuity which had before, and might again embarrass the question as to the relative powers of the Federal and State governments. He was conscious of the difficulty (difficulty arising from the decisions of the courts, and the frequency and contrariety of legislation in England) that existed in laying down a clear and unexceptionable rule of discrimination between bankrupt and insolvent laws. For the present, at least, he should not attempt it. He would content himself with the general declarations—that, for nearly three hundred years, the two systems had been kept distinct in England: That they differed in their origin, object, and provisions, and had always, there and here, been executed by different tribunals: That at the time of the adoption of the Constitution, they were known and distinguished, both in England and in this country, as distinct systems—the one having for its object to afford a summary and speedy remedy for creditors against fraudulent or failing traders; the other affording relief to insolvent debtors of all denominations. The Constitution of the United States, he said, had clothed the National

Legislature with power to establish the former, and had left the right to pass, and the duty of establishing the latter upon the State governments. The 93d section of this bill, he said, was upon any definition that might be given of the different terms, an insolvent law. If it passed, that is, if Congress had the Constitutional power to pass it, the States had no right to pass any law upon the subject of insolvency; not even to authorize the discharge of debtors imprisoned, upon a process issuing out of their own courts, otherwise than as it might suit the pleasure or convenience of Congress to permit. There was, he said, no middle ground. If the partition wall between bankruptcy and insolvency was once broken down, all State legislation was subjected to the absolute and arbitrary supervision of Congress. He did not believe that such was the design of the framers of the Constitution. He did not believe such was the Constitution. He, therefore, objected to the Constitutional power of Congress to pass the section referred to. He had before said, that he rose to explain, not to discuss, and he would not depart from the course he had marked out for himself. He would, therefore, only add that, in his judgment, the provision contained in the 93d section, was not within the reasons which induced the framers of the Constitution to vest this power of establishing uniform laws on the subject of bankruptcies, in Congress. That it was a power which never ought to be, or to have been, vested in Congress. That it could only be well and successfully executed by the States, where those who made the Constitution had left it. That its exercise would operate most injuriously upon the system which governed the Union and the States separately. Those mischiefs would, among other things, consist in an injurious extension of the patronage of the Federal Government, and an insupportable enlargement of the range of its judicial power. It was not his purpose to specify. He would only say, that, if this section passed, it would be perfectly idle to think of the sufficiency of one or two, or ten or twenty commissioners to execute the law in many, if not most, of the States. But a still more exceptionable consequence would be, the extension of the jurisdiction of the Federal courts, and the indispensable necessity of an immediate and great increase of their number. The obvious



character of this consequence superseded the necessity of detail. The portion of litigation in the different States, arising out of their insolvent laws, was familiar to all, and that would of necessity, be either immediately or ultimately drawn into the Federal courts. He was certain that if the bill passed as it stood, the measure would not stand as long as its predecessor. It was, he thought, improbable, that the States could stand quietly by and see themselves thus shorn of so great and salutary a portion of their powers. The decision of the Supreme Court of the United States would, doubtless, be referred to; of that, he would, for the present, only say, that that high tribunal had not as yet covered the whole ground. He was aware of what, at the moment he was speaking, was going on below. But he would not, for an instant, anticipate farther limitations upon the rights of the States upon this subject. As yet they had not been restricted by the Supreme Court from passing prospective insolvent laws. Such was the 93d section. Such the States and the States only, had a right to pass. If Congress acted upon the subject, their act, if acquiesced in, would include a surrender of all State power upon the subject. If it was put to him to decide between being a party in such surrender, or the loss of the bankrupt bill, he could not, as he viewed the subject, without being false to his trust, hesitate in preferring the latter.

“I will now, Mr. President, call the attention of the Senate to another view of this subject, to a question of the gravest character, and most deeply affecting the dearest interest of the country—a question growing out of considerations which have heretofore occupied the best minds, and interested the purest hearts our country has produced: ‘Would it be wise in us to change our established policy upon the subject of political connections with foreign States?’ The President has said, that, ‘to form alliances,’ is not among the motives of our attendance at the Congress. But what description of alliance does he mean? They are of various kinds, and of different extent. We are, at that Congress, to stipulate in some form (and I care not in what), that we will resist any attempt at colonization, by the Powers of Europe, in this hemisphere (or within our own borders if you please), and that in the event of any interference

on their part, in the struggle between Spain and the Spanish American States, we will make common cause with the latter in resisting it. To this end we have been invited, and upon these points we have promised that our ministers shall have full powers. We must do this, or the whole affair becomes empty pageantry; which, though it may be the offspring of personal ambition, will assuredly terminate in national disgrace. Call it an 'alliance,' or whatever name you please, it is a political connection, at war with the established policy of our Government. And is this a light matter? Sir, when it is proposed to subvert a fundamental principle in our foreign policy, in the support of which we stand alone among all the nations of the earth, which, commencing with our Government, is endeared to the people, and upon whose deep foundations has been erected the magnificent superstructure of unequalled national prosperity—it surely becomes those intrusted with the management of affairs, to pause, and weigh, with scrupulous exactness, the importance of the step.

“In the discussion of this subject, I shall first consider the general principle; then the grounds of the distinction attempted to be made between its application to the Spanish American States, and to those of Europe. At this moment the United States (thanks to the wisdom of their early counsels!) are unfretted. No government has a right to demand our aid or interference in any of the changes in the condition of the world; come what may, we are now unembarrassed in our choice. Until lately, I had flattered myself that the acknowledged obligation on the part of our Government to maintain that condition was as firmly fixed as its republican character. I had the best reason to think so, because I knew it to be a principle in our political polity, which had for its support all that is instructive in experience, all that is venerable in authority. That authority is no less than the parting admonitions of the Father of his Country. The earnest, eloquent, and impressive appeals upon this subject, contained in his Farewell Address, are yet, and will, I trust, long remain fresh in our recollections; nor were the sentiments he thus avowed mere speculative opinions, founded upon an abstract consideration of the subject. No! they were sentiments

• matured by reflection, and confirmed by actual experience, of the practical results which had arisen from a connection of the character he so ardently and so justly deprecated. A reference to the history of that period will illustrate the fact, and is replete with instruction. During the war of our Revolution we entered into an alliance with France, 'the essential and direct end of which was, to maintain effectually the liberty, sovereignty, and independence of the United States, absolute and unlimited, as well in matters of Government as of commerce.' By the treaty of alliance, we, in consideration of the guarantee by France of the freedom and independence of the United States, undertook, on our part, to guarantee to France the possessions she then had in America. The revolution in France involved that country in war with the principal powers of Europe. Her American possessions were brought in danger; and, among other things, claimed under the treaty of alliance, she called upon us for the fulfillment of our guarantee. At no period in our history has our Government been placed in a more humiliating and embarrassing situation. The signal benefits we had received from France were known to the world, and fully appreciated by our citizens. Upon the terms of the compact there could be no dispute. The consideration upon which we had entered into it, was of the most sacred character. But the danger of compliance was imminent, and prevailed over every other consideration. Reposing itself upon the great principle of self-preservation, a principle extending itself as well to nations as individuals, our Government refused to comply with its engagement; and General Washington issued his celebrated proclamation of neutrality. The grounds relied upon to justify the step were, that our alliance was a defensive one only; that the war on the part of France was an offensive war, in which we were not obliged, by the law of nations, to take part; that the contest was, moreover, so unequal, and our means so inadequate, that, upon the principle of self-preservation, we were justified in refusing to take part with our ally. It was not expected that France would acquiesce in the validity of the grounds thus taken. She did not. The loud, solemn protests of her ministers are remembered; as also the measures resorted to for the purpose

of obtaining, indirectly, some of the advantages claimed from the alliance; such as fitting out vessels of war in our ports, and enlisting our citizens in her service. England remonstrated, made strong imputations of partiality against our Government; imputations founded on suspicions growing out of the known connection between us and France, and resorted to similar means to annoy her enemies and commit our neutrality. General Washington found it impossible to satisfy either party of the strict impartiality that governed our conduct. The result was war, in fact, with France, and many of the evils of war with England. She enforced against our commerce new and unjustifiable principles of public law on the subject of blockades and articles contraband of war. The sagacious mind of Washington, and the great men who enjoyed his confidence, traced the multiplied embarrassments of the country at that trying period, to the treaty of alliance with France.

“In every point of view, said Mr. Van Buren, in which this subject had presented itself to his mind, it had produced but one sentiment, and that was unqualified opposition to the prerogative claimed for the chair. Although this claim of power is now for the first time made, the principle in which it originates is as old as the Government itself. I look upon it, sir, as the legitimate offspring of a school of politics, which has, in times past, agitated and greatly disturbed this country; of a school, the leading principle of which may be traced to that great source of the political contentions which have pervaded every country where the rights of man were in any degree respected. I allude, sir, to that collision which seems to be inseparable from the nature of man, between the rights of the few and the many, to those never-ceasing conflicts between the advocates of the enlargement and concentration of power on the one hand, and its limitation and distribution on the other; conflicts which, in England, created the distinction between Whigs and Tories; the latter striving, by all the means within their reach to increase the influence and dominion of the throne, at the expense of the common people; and the former to counteract the exertions of their adversaries, by abridging that dominion and influence for the advancement of

the rights and the consequent amelioration of the condition of the people.

“Collisions of opinion and of action of a character similar in principle have existed, although under different denominations, with different limits, and for different ends, in most countries, and in an eminent degree in this. Indeed the history of the struggles, the contests, the alternating victories and defeats of these two restless and rival principles, is the history of all republican governments, in fact, of all institutions formed for the protection of the liberty of conscience and opinion, and the freedom of the citizens. Nowhere can its operation be more distinctly traced than in our own early history. They were the primitive elements, and animating causes of those Whig and Tory parties, which from the first Congress of 1765, down to the glorious peace of 1783, on the one hand labored unceasingly to consolidate all legislative authority over these provinces in the single British Parliament, and to place all patronage, power, and influence in the hands of the executive and judicial representatives of the Crown; and on the other hand, as boldly and perseveringly, but happily more successfully, vindicated by reason, eloquence, and finally by arms, the rights of the several American States, and the just powers of the immediate representatives of the people. The establishment of our independence put an end to these conflicts, in the form in which they had before been sustained; but what its effect was upon the spirit that produced them, could be better judged from an attentive consideration of our subsequent history. Attempts, said Mr. Van Buren, have frequently been made in later days, and recently by the highest authority in the Government, to trace the origin of the two great political parties which have divided the country, from the adoption of the Constitution to the present day. They have, for motives too obvious to require explanation, been attributed to causes which had either become obsolete, or been compromised by mutual concession, such as the early difficulties growing out of our relations with Great Britain and France, the expediency of a navy, or similar questions. There was one consideration, he said, that could not fail to arrest the attention of the most superficial observer. It was this: If



these party divisions have sprung from no other cause than the temporary circumstances to which they have been attributed, why have they so long survived the causes that produced them? That they still exist, and exist in full vigor in a great portion of the Union, it would be an insult to our observation and understanding to deny. The explanation of the mystery was to be found, and to be found only, in the falsity of the ascription. They arose from other and very different causes. They are in truth, said he, mainly to be ascribed to the struggle between the two opposing principles that have been in active operation in this country from the closing scenes of the Revolutionary War to the present day, the one seeking to absorb, as far as practicable, all power from its legitimate sources, and to condense it in a single head; the other, an antagonist principle, laboring as assiduously to resist the encroachments, and limit the extent of our Executive authority. The former has grown out of a deep and settled distrust of the people and of the States. It consequently regards as gain, every thing that can be drawn into the vortex of Federal power, and as making that power still more safe in proportion as it is withdrawn from the popular departments of the Federal Government to those that are further removed from the control of public sentiment. The antagonist principle has its origin in a jealousy of power, justified by all human experience. It is founded on the assumption, that the disposition of man to abuse delegated authority is inherent and incorrigible; it therefore seeks its only security in the limitation and distribution of those trusts which the very existence of Government requires to be reposed somewhere. Hence, the aversion of its supporters to grant more power than is indispensably necessary for the objects of society; and their desire, as an additional safeguard, to place that which is conferred in as many hands as is consistent with efficiency. The former is essentially the monarchical, and the latter the democratic spirit, of society. He wishes not to be misunderstood. He uses these terms, as more expressive of his meaning than any that occurred to him. He had no idea that all, or even the great body of those who either now, or in times past, had been subject to the influence of the first principle, were in favor of the

establishment of a monarchy in this country, any more than he believed that those who had shown their preference for democratical principles were in favor of the establishment of an absolute democracy; neither side had views thus extensive. The forms of both were repudiated, while their respective spirits were, to no considerable extent, retained. The earlier battles upon this cardinal point were fought upon the question of the degree of energy, or, in other words, power that ought to be given to the Federal Government, at the expense of the States and the people. They commenced in the convention of 1787, and soon spread through the great body of the people, upon the question of ratification. The proceedings of that convention were for a long time secret, but are now before the public. In them, when taken in connection with later events, we read the grounds of our subsequent political dissensions, in language so plain, that none but those who are willfully blind can be deceived. There were, of course, different degrees, as to individuals; but the leading division in the convention was between those who, distrustful of the States, sought to abridge their powers, that those of the new government might thereby be enlarged, and those who, on their part distrustful, perhaps jealous of the government about to be created, and possessing full confidence in those of the States, were as strenuous to retain all powers not indispensably necessary to enable the Federal Government to discharge the specified and limited duties to be imposed upon it. The contest was animated, and, as it is well known, more than once threatened a dissolution of the convention, without agreeing upon any thing. Necessity, however, ultimately compelled a compromise. The terms were arranged as well as practicable. The then friends of State rights (the true Federalists, but who, by a singular misnomer, were immediately after called anti-Federalists, whilst those who had throughout opposed the federal principle, assumed the then more popular name of Federalists) succeeded, or thought they succeeded, in saving much of what they had so earnestly contended for. The advocates of what was in the language of the day called a strong General Government, certainly failed in obtaining by express grant, or necessary implication, much of what they had so long and so ably struggled



to acquire for the new government. The question of ratification came on, and was full of difficulty. The abuses to which some of the more general provisions of the Constitution might be exposed, were pointed out by its opponents. The concealed powers of the Constitution, which are at this day put forth with so much confidence, were disclaimed and condemned by those who advocated the ratification. No candid and well informed man, will for a moment pretend that, if the powers now claimed for this Government had been avowed at the time, or even had not been expressly disclaimed, there would have been the slightest chance for the adoption of the Constitution, by the requisite number of the old thirteen States."

## CHAPTER V.

THE SENATE OF THE UNITED STATES—MR. VAN BUREN  
BECOMES GOVERNOR OF NEW YORK.

IF not before this date, certainly at a later, Mr. Van Buren was not unfavorable to the incorporation of banks in the State of New York, nor to the extension of the influence and business of the Bank of the United States. It is a fact that Enos T. Throop, the man Van Buren selected to succeed him as Governor of New York, in 1829, was a strong United States Bank man. It has been claimed that Mr. Van Buren's Safety Fund Act, in his brief governorship of the State, was in effect a union of State and bank, the State controlling and protecting the banks.

The Republicans (Democrats) were by no means agreed on bank and financial affairs, at any rate not until during General Jackson's second term in the Presidency. Indeed it can not be said that any party has, to this day, been unanimous on these perplexing subjects. Here, like most other men, Mr. Van Buren wavered. Not until 1836, perhaps, did his monetary views begin to take a very definite shape. In 1824, when Mr. Van Buren was a supporter of Crawford for the Presidency, the "Albany Argus" said:—

"It is undoubtedly true that a majority of the Republican party in the Union were [in 1811], for various reasons,

opposed to a renewal of the [United States Bank] charter; and it is also probable that the opinions of those who voted in its favor were at variance with the sentiments of a majority of the Nation. Furthermore, the opposition to the bank was, in a great degree, political, and many firm members of the Democratic party deprecated its renewal, either on mere party grounds, or because they viewed it as a measure fraught with pernicious consequences. All this I cheerfully admit, and surely it is all that the most stubborn impartiality demands. On the other hand, it is not true that the opposition to the bank bill was exclusively political, or that its support involved any dereliction of Republican principles, or any abandonment of the Administration. On the contrary, the subject was connected with many grave questions of Constitutional law and political economy, and, so far as the wishes of Mr. Madison were concerned, they would probably have been best answered by the incorporation of a new bank on a judicious basis. And if any further evidence is required of the views of the Administration, it will be found in the fact that the Secretary of the Treasury [Albert Gallatin], when applied to by the committee of the Senate for his opinion, expressly stated that he deemed a renewal of the bank as essentially necessary to the operations of Government.

“The opposition to the renewal of the bank grew out of various considerations. Many were opposed to the bill [of 1811], because they were of opinion that Congress did not possess the Constitutional power to pass it; others, because they thought it, for political or other reasons, inexpedient and dangerous; and others, again, on both grounds. Many Republicans supported it (1) because they deemed such an institution essential to the interests of the country, and the convenience of the Government; and (2) because they had no doubts as to the Constitutionality of the measure. Mr. Crawford was one of the number, perhaps the most prominent of the class. Experience

has proved the correctness of the first position ; and the people, through their representatives, have responded in favor of the other."

That was the condition of the Regency in 1824. This is further shown by the following letter or petition of Mr. Van Buren and others asking a branch of the bank to be established at Albany :—

*"To the Directors of the Bank of the United States :*

"The memorial of the subscribers, in behalf of themselves and their fellow-citizens of Albany, respectfully sheweth—That, since the completion of the Northern and Western Canals of this State, such facilities are given to transportation, that the quantities of country produce brought to this market from the interior of this State are increased to an immense amount, and when to this is added the produce which will be brought to this market from the fertile regions of the north-western parts of Pennsylvania, the State of Ohio, and the Territory of Michigan, some idea may be formed of the amount of business which might be done in this place, was there a sufficient moneyed capital located here, to give countenance and support to commercial enterprise. The capital of the banks located here, under State incorporations, is entirely insufficient to afford those facilities to commercial enterprise which the business of the place would warrant, and which the most cautious prudence would justify. The limited capital of our banks forbids the extension of our trade. Merchants of moderate fortune are discouraged from taking up their abode amongst us, from a knowledge that the banking capital of the place is inadequate to the demands which are made upon it for the prosecuting of a sufficiently extensive business to render it profitable ; and instances are not wanting of active, intelligent, and enterprising merchants removing from this place to the city of New York,

to participate in the benefits of an increased banking capital, though their business has principally been continued with the interior of this State. The western world is pouring its treasures into the market of Albany, but its citizens are doomed, with tantalized feelings, to behold a rich and profitable trade float past them to the city of New York, solely for the want of a sufficient banking capital located amongst them. Could the produce brought to this place be purchased here, such portion as is not wanted for home consumption might be exported directly from here to a foreign market (as far as the navigation of the Hudson would permit), and return cargoes, calculated for the interior of the country, might be imported, without the expense of transshipment at New York, or the profits of the importing merchant there. These considerations have induced the citizens of Albany once more to ask for the establishment of a branch or office of discount and deposit of the Bank of the United States in this city. It is hoped that this application will be favorably received, as the same causes which render it desirable to the citizens of Albany to have a branch of the United States Bank established here, conclusively show that it would be a source of profit to the parent institution. Indeed, it is believed that a branch here would be more profitable in reference to the extent of business done, than several of the branches located in sea-port towns. The local situation of Albany renders it an entrepôt between the Eastern States and the Western counties; between the South and the North, and consequently a very extensive currency would be given to the bills issued from a branch here, and the nature of the trade which would be prosecuted here would, in a great measure, render the bills of a branch established in this place the circulating medium of the extensive regions whose produce would be brought to market. Inasmuch, therefore, as the establishment of a branch here would not only be highly advantageous to this city, but a source of

profit to the parent institution, we hope that the directors of the United States Bank will establish an office of discount and deposit at this place.

“(Signed,)

M. V. BUREN,  
B. F. BUTLER,  
W. L. MARCY,  
AND OTHERS.

“ALBANY, July 10, 1826.”

From the close, or during the last two years of his senatorial career, Van Buren's position as to banking became more decidedly Jacksonian, and especially from the date of his nomination as Vice-President, he was one of the most decided anti-bank men. Yet there may be seen little more in this than the growth of events, and especially as influenced by the course of the men and party with which he was associated.

In 1832, Mr. Van Buren's sentiment was: “I am unreservedly opposed to a renewal of the charter of the United States Bank, and approve of the refusal of the President to sign the bill passed for that purpose, as well on account of the unconstitutionality, as the impolicy, of its provisions.” And the following letter will show his opinion on this subject four years later:—

“WASHINGTON, February 22, 1836.

“GENTLEMEN,—I have the honor to acknowledge the receipt of your letter, inviting me in behalf of the friends of free principles in Cincinnati, Hamilton County, to attend their proposed celebration of the deliverance of our country from the thralldom of the Bank of the United States, and asking from me, in case it should not be



convenient for me to attend, a sentiment appropriate to the occasion.

“There have been, in my opinion, few incidents in our political history more worthy of notice, by means of a public celebration, than the one you are about thus to distinguish. The successful resistance to the hereulean efforts brought to bear upon the bank question, was a result most honorable to those by whose immediate agency it was effected, and certainly not less so to a virtuous and patriotic people, by whom their faithful representatives were cheered and sustained.

“However plausible the speculation, or successful the concealments of the day, the design of the bank to extort a renewal of its charter from the apprehensions and distresses of the country, has been rendered too clear by time to be any longer contested. To speak of the mighty means which this aristocratic institution called to its aid in the great struggle through which we have passed, would be to suppose, what is scarcely possible, that the dark traces of that gloomy period can ever be obliterated from the public remembrance. But the bank mistook the character of that people whose stubborn necks it proposed to bend to its selfish interests and sinister designs. It was rebuked and discomfited, but by no means discouraged. The people triumphed in that open contest, but before time had been allowed for seasonable celebrations of that triumph—even since your festival has been appointed, and before the day has arrived for the expression of your joy—the same power, fighting under the same panoply, but changing altogether the character of its approach, has again entered the field and gained a victory over the popular will, which it doubtless considers brilliant and resistless. But how changed the mode of warfare in this last effort! Instead of commercial distress, public and private embarrassment, and all the concomitants of an uncontrollable panic in the public mind, plenty and even profusion pervaded



the city of the bank, while its noiseless approach to the legislative power was characterized by a dispatch altogether unprecedented in so important a matter in the history of legislation. Before even the movement is known in the remote quarters of the Union, the public mind is astounded by the acquisition of a charter from the government of a single State, the apprehended grant of which by Congress had filled the minds of a vast majority of the American people with dismay; and for the attainment of which from that body all the powers of earth had been invoked in vain.

“You will do right not to suffer this event, untoward as it is, to deter you from rejoicing at the victory which the whole people have won. Leaving the partial success of the bank and its consequences to the consideration and disposition of a virtuous and justly offended public, it is a matter of the highest congratulation that the advances of this presumptuous institution upon the Federal Government, at least, have been successfully arrested. In that quarter our victory is, to all appearances, complete; but whether or not it is to be permanent, must depend, in a great degree, upon the States. Nothing short of the madness of State legislation can prevent its being so. It was in the inexcusable improvidence of State legislation that the present bank found its origin, and it is to the same source, doubtless, that it looks for a resuscitation. Time will soon determine whether the well-disposed men of the present day are wiser than were their predecessors; or whether the lights of a most severe experience have been shed upon this subject to no good purpose.

“As far as your growing and patriotic State is concerned, the prospect is cheering indeed. From the bottom of my heart do I congratulate you upon the noble stand which Ohio appears to have taken, at this critical moment, upon the subject of banks. Her course is deserving of all commendation, and may well be looked to by her older sisters

in the confederacy, not only with admiration, but with profit. Who can have forgotten the intense anxiety and warmly cherished hope with which Mr. Jefferson looked to his favorite West, to his hardy yeomanry of the new States, for the preservation of the simplicity and purity of our republican institutions against the seductive influences and artificial distinctions of society, to which the Atlantic States were peculiarly exposed? Who can forget the deep tone of regret with which he contemplated a disappointment? May we not safely look upon the noble example which the largest, and certainly not the least patriotic of the new States is now offering to her confederates, as the sure promise of a new and brighter day than that foreboded by this great and good man? May we not further hope that those who by their position, by their pursuits, and by their every interest, have the greatest stake in the greatest cause of equal rights, will also make it the object of their highest ambition to be among the foremost to uphold the Constitution in the letter and spirit of that sacred instrument; and to preserve in its entire purity the simple but happy system of government, under which we have hitherto so securely lived and so greatly flourished?

“To have been first selected by your State as a candidate for the Presidency, I shall ever regard as one of the most gratifying incidents of my public life; yet I can not adequately express to you how much this distinction, so well calculated in itself to command my unceasing gratitude, is enhanced in my estimation by the conviction that Ohio will maintain this high stand upon this all-important subject.

“Nothing would give me more unfeigned pleasure than to assist in person in your commendable effort to rivet upon the public mind the vast importance of the great event you commemorate, were it in my power to do so; but I regret that it is not in my power.

"In complying with your request to furnish a sentiment for the occasion, my mind is necessarily turned to him, who, during the stormy period to which your attention is directed, was emphatically the helmsman of the ship, without whose quick eye and strong arm she must have yielded to the tempest. I know well that where so many did their duty firmly and fearlessly, this is saying a good deal for the services of any one man, and yet I am fully convinced I do no more than simple justice. Such was the opinion formed from my own observation, with the best possible means of coming to a correct conclusion. Such I believe to be the undisputed opinion of his contemporaries, such must be the judgment of posterity. I therefore, give you, gentlemen :

"ANDREW JACKSON—No one has done more than he to advance the great principle of self-government, expounded by Jefferson, and established on the battle-field by Washington.

"I have the honor to be, gentlemen, very respectfully yours,

MARTIN VAN BUREN.

"TO MOSES DAWSON, Chairman."

At that time and ever afterwards Mr. Van Buren was more decidedly a hard-money man than Jefferson, Madison, Monroe, Jackson, and many of the Federal and Democratic leaders; or indeed many of the latter-day Republicans and Democrats. He favored a gold and silver currency for the Nation, and the restriction of bank-notes to large denominations where silver would be inconvenient in large transactions.

De Witt Clinton, Governor of New York, died suddenly while sitting in his chair conducting the business of his office, in February, 1828. For fifteen years or more Mr. Van Buren had been an

opponent of his measures and his political aspirations, although perhaps Clinton's support of the interests of General Jackson during his last years had much modified Mr. Van Buren's inclinations toward him. Van Buren now eulogized him in the United States Senate, and for this act started the tongues of his political critics. It was too much to treat with justice and honor a dead competitor for public favor. William L. Stone thus wrote of Mr. Van Buren's conduct:—

“Who, among the whole host of Mr. Clinton's enemies, was so active and artful as Mr. Van Buren? Who so relentless and so persecuting? What political plan for developing the resources of the State did Mr. Clinton ever devise, that Mr. Van Buren did not attempt either to thwart, or to deprive him of the honor? What path did Mr. Clinton ever propose to travel that Mr. Van Buren did not cross? When did Mr. Clinton ever raise his arm in the public service that Mr. Van Buren did not attempt to paralyze it? When did Mr. Van Buren's hostility to Mr. Clinton ever sleep? Not until the illustrious man slept with his fathers, and the grave had closed upon his remains. Then it was, and not till then, that Mr. Van Buren became aware of the talents, the virtues, the inestimable worth of Mr. Clinton.”

In 1823, Mr. Van Buren and his friends recommended and urged the continuance of the Congressional caucus plan of nominating Presidential candidates, and when the caucus was held by a small minority of the Republicans, and Mr. Crawford was nominated, they gave their support to him, in whose favor the caucus had been held, and for whose

benefit the Radical Republicans, or Van Buren men, of New York, had urged the necessity of the caucus. The Jackson, Adams, and Clay men were opposed to the caucus, and believed that the time had now come for bringing the nominations in a wider sense before the people. Mr. Van Buren and the whole Albany Regency were strong now in the support of Mr. Crawford. It was, perhaps, well known to these Northern Democrats that Mr. Crawford was not favorable to foreign immigration and citizenship in this country, and that he did actually prefer to amalgamate and adopt into the American family of freedom the Indian tribes, than the "fugitives of the Old World, whether their flight has been the effect of their crimes or their virtues." Mr. Crawford was really a supporter of a national bank. It may well be claimed that the supporters of the man were supporters of his principles. But often other motives more recondite, yet no more virtuous, other than acquiescence in a candidate's principles, lead to his support.

The following letters to Jesse Hoyt show, to some extent, Mr. Van Buren's desires and hopes as to Mr. Crawford in 1824 :—

" WASHINGTON, March 3, 1824.

"DEAR SIR,—I have the greatest aversion to having my letters extracted for the newspapers or much shown, and notwithstanding a laborious correspondence during the winter, have hitherto escaped. The promulgation of my anticipation as to Messrs. Adams and Clay's withdrawing would, you know, not induce them to do so, if

it had not the contrary effect. It is best to let those things take their course, and there is no ground for fear as to the result. If they continue after New York has settled down it will be manifest to all that the contest is prolonged by them to the great detriment of the party, and of the public interest, without the least prospect of success; and it will be the business and duty of the press to make suitable animadversions on the subject. To me the course of the 'Advocate' for the last few weeks has been entirely acceptable, as it has been moderate, but firm and rational, which course is, I think, the only one calculated to produce much real effect on public opinion. Such is not, however, the opinion, or rather the feelings of all; on the contrary, there are many who have been so much pleased and so accustomed to the many good and pleasant things the Major has said as to regret the deprivation of them, and they occasionally complain to me that the 'Advocate' has lost its spirit. As the Major has depraved their appetites, he is, they think, under some sort of obligation to feed them on such viands as have become most acceptable to them. Make my best respects to him, and to our friends; tell them that for obvious reasons, they may excuse me from not writing as often as I could wish. Your friend, M. V. BUREN."

"WASHINGTON, March 6, 1824.

"DEAR SIR,—I have received yours this moment. I can not help what Messrs. Lynch and King may choose to infer from my looks, but the truth is, that I have at no time doubted of our complete success. The great influence which was exercised here to prevent members from attending the caucus, and the subserviency and ingratitude of some who have partaken largely of the favor of the party, were calculated to excite strong feelings, which were doubtless sometimes manifest, but despondency is a weakness with which I am but little annoyed. On the



assumption that New York will be firm and promptly explicit, we here consider the question of the election substantially settled. Neither Mr. Adams or Mr. Clay can keep in the field after the course of New York is positively known. The information on which this opinion rests and the reasons in its support can not be given in a letter. I will myself be easy on the subject, and so will our friends here who never were in better spirits or felt stronger confidence. Make my best respects to our friends.

Yours cordially,

“M. V. BUREN.”

For two years after this defeat of Mr. Crawford, Mr. Van Buren adhered to him, and in the Spring of 1827 made a trip to Georgia in part to find out Mr. Crawford's condition, and decide what was the next best thing to be done. While on this trip he wrote to his troublesome friend, Jesse Hoyt, the following sprightly letter :—

“COLUMBIA, SOUTH CAROLINA, April 23, 1827.

“MY DEAR SIR,—When I left Washington, it was my intention to have been back by this time ; but the extreme hospitality of the Southrons has rendered it absolutely impossible. We shall leave here on Wednesday morning, and after stopping a few days at Raleigh, —, and Richmond, make the best of our way home. I have looked anxiously into the marriages and deaths for your name, but have not yet seen it in either. You will see my remarks on the Colonial Bill. I wish you would ask the editor of the ‘Advocate’ to republish them—and if the Major [Noah] wishes to present his readers with a concise and perspicuous view of that subject, and is not apprehensive that he would injure his friend, Mr. Clinton, he might do the same thing.

“In haste, yours sincerely,

M. V. BUREN.”



Soon after his return from this trip, Mr. Van Buren was announced as a supporter of Andrew Jackson. Mr. Crawford was worn out, and bowed with physical infirmity, and it was now too plain, if it had not been in 1824, to his friends, that there was no chance for him. Mr. Van Buren's career for the next twelve or fourteen years was closely identified with that of General Jackson politically. From the time Jackson came into almost absolute power in the Democratic party, he depended upon him largely for his own success.

Although Mr. Van Buren was re-elected to the Senate of the United States at the expiration of his term in 1827, events were rapidly transpiring to cut short this part of his career. Death had removed the ambitious Clinton from the struggle to be first in the State. The Republicans now determined to put forward Van Buren as Mr. Clinton's successor in the office of governor, as he was then the most prominent, if not the most able and by far the most cautious politician in the State. He was elected, resigned his seat in the Senate, and on the first day of January, 1829, began his duties as Governor of New York.

The following letters to Jesse Hoyt will be of some interest at this point:—

“ALBANY, November 8, 1828.

“MY DEAR SIR,—I thank you sincerely for your several communications. They have been a source of both pain and pleasure to me—the latter on account of their contents, and the former on account of the extreme difficulty I have had to make out what their contents were.

You would certainly correct this, if you knew how extremely painful it is to your friends. I would have written to you before, but have had no time to eat my meals. My house has been run down by my friends, at one moment flushed with victory, and the next frightened out of their senses, and frequently without cause for either.

“Laying the efforts of Anti-Masonry out of view, and of which we have as yet not much beyond rumor, the election has been a real old-fashioned ninety-eight fight. Everywhere, as far as ascertained, we have succeeded in Democratic counties by overwhelming votes, and lost in counties that were formerly Federal by small majorities. Saratoga was doctored to death, if it is lost, which is not certain. The name of Adams, and the character of the discussions, have brought old feelings into entire and efficient operation. The result, according to my present knowledge and belief, has been (under the circumstances) signally triumphant. The following vote upon the electoral ticket I regard as absolutely certain. If there are any mistakes in it, in your part of the State, you can, of course, correct it. Queens and Suffolk, 1 ascertained; Kings, 1 do.; New York, 3 do.; Westchester and Putnam, 1 do.; Dutchess, 1 do.; Orange, 1 do.; Ulster and Sullivan, 1 do.; Greene and Delaware, 1 do.; Schenectady and Schoharie, 1 do.; Herkimer, 1 do.; Otsego, 1 do.; Onondaga, 1. We have only partial returns, and they are favorable. I can not think there is the slightest doubt of this county. Ascertained: Cayuga, 1 ascertained; Chenango and Broome, 1 do.; Tompkins and Courtlandt, 1; not ascertained, but without the slightest doubt, 17.

“Now, I have not time to speak of the chances in the other districts; you must make them out from the papers. For myself, I should think good luck alone would give us a few more, and I shall be egregiously disappointed if we do not get twenty at the very least. You need not believe their stories, for they have not the slightest respect for truth

in most cases. We shall therefore have votes enough to put Jackson's election out of all question, and what is over is only important on the score of bets.

"Our Governor and Lieutenant-Governor's majority will be immense. The only four towns in Broome (a crazy county) have given me a unanimous vote, viz. 1,000, and the others, it is supposed, will not reduce that. Everywhere I get the true party vote, and in many places Southwick's vote will be large. We shall have nearly 3,000 in Ulster and Sullivan, and between 1,500 and 2,000 in Cayuga; we have carried our Senators in four districts, and have a good chance to carry them in most of the others. Our majority in the Assembly will be as large as is desirable. Contending, as we have done, against Federalism, revived Anti-Masonry, and money, I am satisfied with the result. I sorely regret the loss of Noah's election, as well on his own account, as on account of the cost his election has been to the party; but one point is gained, viz.: he must be satisfied that his friends have, with their eyes open, sustained a great struggle, and run much hazard on his account. I hope there will yet be some way found out of doing something for him. I shall be down on Tuesday. In the meantime, show this to my friends, Bowne, Verplanck, Hamilton, and Cambreleng. Tell Verplanck I have no doubt you was as much frightened as he says, and am quite certain that you have as much pluck as you claim. Remember me to Mrs. Hoyt, and believe me to be,

"Yours, cordially,

M. V. BUREN."

"ALBANY, February 1, 1829.

"MY DEAR SIR,—I am distressed by Lorenzo's accounts of your affairs in New York. When will the Republican party be made sensible of the indispensable necessity of nominating none but true and tried men, so that when they succeed they gain something? The same game that is playing with you was in a degree played here

on the nomination of Attorney-General. The only personal objection that was made to Mr. Butler, was his conduct last winter in regard to the Clinton Bill, and I believe that every Clintonian in both Houses voted against him, except Charles Livingston, of whose vote I am advised. Mr. B. depended upon your city vote, and would have succeeded if he had got it. Cargill, Arnold, Alburtus, and Mr. Allen, voted for him; beyond that nothing is known. I must insist upon you not mentioning my name in connection with this subject in any form. Make it a point, if you please, to see my good friend, Coddington, and say to him that I have not been able to follow his advice in relation to the health appointments, and hope to satisfy him, when I see him, that I have done right. The claims of Dr. Westervelt were, taking all things into the account, decidedly the strongest, and much was due to the relation in which he stood to Governor Tompkins, especially from one who knew so well what the latter has done and suffered for this State. I should forever have reproached myself if I could have refused so small a tribute to his memory. Westervelt is a gentleman and a man of talent, of a Whig family, and a Democrat from his cradle. He was three years in the hospital and five years deputy health officer, until he was cruelly removed through the instrumentality of Dr. Harrison, who, to my knowledge, owed his appointment to the unwearied and incessant perseverance of Governor Tompkins. Havens has been at the station but a year, and has never seen a case of yellow fever in his life. All that I could do for him (and he has not a better friend in the world) was to satisfy myself that Dr. Westervelt and the Board of Health would retain him in his present station. I can not dismiss Dr. Manley. His extraordinary capacity is universally admitted; and his poverty and misfortune in regard to the new medical college, which he brought into existence but failed to get a place in it, has excited a sympathy for him with medical

men in all parts of the State of unprecedented extent. Mr. Clinton was so sensible of it that he once actually nominated him for health officer, and was upon the point of doing it again the very week when he died. His removal, if made, could only be placed on political grounds, and as he was a zealous Jackson man at the last election, that could not have been done without danger.

“Butler feels less than any of his friends.

“I had promised not to interfere, and did not.

“Yours truly, M. V. BUREN.”

“ALBANY, February 8, 1829.

“DEAR SIR,—It is impossible to judge correctly without a view of the whole ground. Some two or three weeks before the meeting of the Legislature, Suydam by letter requested my neutrality. I showed it to Mr. Butler, and, with his approbation, replied; that I would consider it my duty, under all circumstances, not to interfere. Bronson’s friends had the address to push Dudley into the Senate, and Marcy was so situated that I must make him a judge or ruin him. These circumstances gave color to the clamor about Albany dictation, which it became necessary to respect. No one was better satisfied than Mr. Butler of the impolicy and positive impropriety of my interference, as matters stood. My friend, Campbell, is certainly wrong if he blames me. He was as anxious to have Manley retained as to have Hitchcock appointed, and the amount of his advice, therefore, was, that I should give the two most valuable offices to two old Federalists who never acted with us till last Fall, and that to the exclusion of a young man, who, with all his connections, have been Republicans in the worst of times—who has already been sorely persecuted, and whose firmness saved us at the Herkimer convention; for, had it not been for the fearless and prompt stand taken by Dr. Westervelt after the first informal ballot, Pitcher would undoubtedly have been nominated. After all, it is very doubtful whether he gets

through the Senate. Mr. Schenck is co-operating with the opposition in the Senate, and all the old enemies of Tompkins, to get him rejected. About one-third of the Senate are absent, and the probability is that he will fail. If so, I shall not nominate Havens. I have been very friendly to him, and have done all that was necessary to secure him (with good conduct on his part) in his present place, and I can never lend myself to promote the views of those who coalesce with our enemies to sacrifice Republicans, who stay at home, and trust to their friends that they may get their places. I should not have given Manley the office originally if I could have found a competent Republican to take it. But being competent and poor, I could not think it proper to remove one Clintonian Jackson man to put in another. Dr. McNeven was his only competitor. Targee had as little to do with the matter as you have, and less than Mr. Bloodgood, or about as much. I regret the state of affairs with you. It will work itself clear in the end. The general remedy is an alteration of the time of your charter elections.

“Believe me to be, very sincerely, your friend,

“M. V. BUREN.

“Barker yesterday presented his formal complaint against the Recorder. He behaved with great propriety; you must say nothing of my views in regard to Havens.”

Six days after he entered upon his office, Mr. Van Buren delivered his message to the Legislature, and on the 29th of January sent to that body his adopted plan for the “safety fund system.” The character of this system may be seen in another part of this volume. But Mr. Van Buren made little figure in the Governor’s chair, as he resigned the position to Mr. Throop, at the end of seventy

days, to enter the Cabinet of General Jackson. On this occasion the Legislature was unanimous in its demonstrations of respect, and the Democratic members especially pledged themselves to his person and good fortunes.



## CHAPTER VI.

A REVIEW—MR. VAN BUREN AS POLITICIAN, LAWYER,  
AND SENATOR—GOVERNOR OF NEW YORK—  
WAYS THAT WERE DARK.

ALTHOUGH Mr. Van Buren was not favorable to the re-election of Mr. Madison in 1812, he was not concerned, to any great extent, in the movement in New York which put forward De Witt Clinton. Van Buren was not then a member of the Legislature, and Mr. Clinton was nominated by a caucus of that body. He voted for the Clinton electors, it is true, but this no doubt came from his great subserviency to party discipline. The Democrats of the State had determined in caucus that Mr. Clinton, and not Mr. Madison should be their candidate for the Presidency, and that was the end of it. The first step in the education of a New York politician at that day was faithfulness to his party where there could be no doubt as to its desires. Whatever may have been Mr. Van Buren's notion as to the propriety of nominating an opposition Republican candidate in New York, he had nothing to do with that, and only had to make the most of it when it had been done.

But when he entered the Legislature, finding the Clintonians without organization, he at once took the

lead of that faction against the Federalists and Madisonians. Mr. Clinton was supported by the Federalists also in the election, and although he carried New York, all New England, except Vermont, New Jersey, and Delaware, and had five votes of Maryland, he did not get an electoral vote south of the Potomac. The Republican friends of De Witt Clinton in New York claimed that if he were elected he would carry on the war against Great Britain with more vigor than Mr. Madison, although at the outset it does not appear that they were much more anxious than were the Federalists. They were not satisfied with some of the measures of the Administration.

Mr. Van Buren acted in good faith toward his party, and was not responsible for its errors. He was never warm in his support of Clinton against Mr. Madison. In the Council of Appointments the casting vote of Governor Tompkins had made him Attorney-General, and in deserting Clinton for Tompkins he only exercised his privilege where there was a choice. That the Federalists generally gave their support to Mr. Clinton was not a cause of consolation to many New York Republicans.

Until 1818, Mr. Van Buren stood with the regulars, but in the following year he took the position of Bucktail leader, and then the Bucktails and the Clintonians became two distinct factions in the State.

The result of Van Buren's opposition to Clinton was his removal from the office of Attorney-General.

For this, however, he was one of the last men who should have complained, from what he afterwards believed and practiced. From the time the great factions were arrayed against one another in New York, and partisan friendship was awarded by place, Mr. Van Buren was in the front rank in causing political friends to take the posts of enemies without reference to quality or condition.

In the Legislative caucus on the appointment of United States Senator in 1821, Van Buren received fifty-eight votes, and Sanford twenty-four. But in the Legislature the Federalists voted for Sanford, making the vote in the Lower House stand sixty-nine for Van Buren, and fifty-two for Sanford, and in the Senate seventeen for Van Buren, and eight for Sanford. Full of ambition, with fine talents, and remarkable success in the past, Mr. Van Buren now entered a new, wider field, with a well-defined purpose, and no great reason for fearing its fulfillment. As a lawyer he had shown ability to cope with the first men of the profession; as a politician he had uncommon skill, and without being void of other elements of popular favor, he was an attractive and eloquent speaker.

One of Mr. Van Buren's first steps in Congress was to throw his influence against the election of John W. Taylor, of his own State, for Speaker of the House. He and Vice-President Tompkins also opposed the appointment of Solomon Van Rensselaer to be postmaster at Albany, on the ground of his always having been a Federalist. Since the

beginning of the century this had been the method of parties in New York.

The other Senator from New York, Rufus King, also opposed the appointment of Van Rensselaer, but doubtless on other grounds, as Mr. King had himself always been a Federalist. These New York politicians were destined ere long to see their vicious principles carried into national politics. But President Monroe was not partial to their practices, and in consequence Solomon Van Rensselaer, soldier and Federalist, was appointed postmaster of Albany.

Although Mr. Van Buren was in no sense a quarrelsome man, it is said that some years before he entered the United States Senate he was on the point of fighting a duel with John Suydam, a Federalist. Van Buren had some of the vain and dark ways of his early teacher, Aaron Burr, fresh in his mind, but it would be ridiculous to believe that Martin Van Buren would have fought a duel, even after his long schooling at Washington with General Jackson, Sam Houston, and other Southern advocates of this diabolical practice. He was indeed an unyielding partisan, and was in a certain way very aggressive, yet he avoided open controversy, and sought to accomplish his purpose in quiet work and arguments that did not bring personal opposition. and was decidedly pacific in all his methods of dealing with men. In this respect his record was remarkable and admirable.

In the winter of 1822 or 1823 Moses I. Cantine, editor of the "Albany Argus," and brother-in-law of

Mr. Van Buren, died. Through him Van Buren had acquired a directing influence in the course of that journal, but the death of Cantine materially altered the case. Still Edwin Croswell, soon afterwards editor of the "Argus," was devoted to the Democratic party, was one of its most thorough disciplinarians, and was afterwards a member of the "Albany Regency," and a supporter of Mr. Crawford. As the time came for choosing Mr. Monroe's successor no State was more disturbed about it than New York. She had a man ready of her own, and yet from the first there was no probability of having him generally preferred. Many New Yorkers believed the North should give its support to Mr. Adams. But Mr. Van Buren with others did not share this opinion. He held that the success of Mr. Adams, a mild and impartial politician, would, to a great extent, destroy party organization. Hence they favored Mr. Crawford, and expected to gain something by harmonizing with Virginia.

The "Albany Regency," as a body of the Democratic leaders, was called at Albany, became apprehensive of a coalition of the friends of all other candidates, and in order to prevent such an event, held a Legislative caucus in the spring of 1823, in which they declared it to be advisable in their opinion that a Congressional caucus should make the nominations. But they were powerless in this matter, as caucus rule in this country had come to an end. A majority of the Democratic members of Congress had so declared. Jackson, Adams, Clay,

and Calhoun men were now unfavorable to the caucus.

With all their discipline the politicians of New York were greatly divided. The party in favor of Mr. Crawford and the caucus was called the "Regency Party," and the opposers arrayed themselves under the name of "People's Party." In the State election of 1823, many members of this party were chosen to the Legislature, and thus the way for the "Regency" Presidential electors was unexpectedly obstructed.

Mr. Van Buren was greatly pleased with the turn in affairs which prevented Mr. Clay instead of Mr. Crawford appearing in the contest before the House. He knew then that the chances for Mr. Clay would be better than for Crawford, and preferred Mr. Adams to be President. Mr. Van Buren, with other Crawfordites, exerted himself to delay the decision in the House, or prevent it being reached on the first ballot. They wanted to be able to say to Mr. Adams, as the friends of Mr. Clay were, that they had given him the Presidency.

If Mr. Van Buren had been favorable to the success of Mr. Adams rather than General Jackson, the scheme of telling Mr. Adams so and trying to reap some benefits from it had failed, and Mr. Adams had scarcely entered upon his office until Martin Van Buren decided that he must oppose that Administration, no matter what it should be. And at this early stage another question was mainly decided with him, and finally settled upon in 1827; that is, that Mr.



Crawford was the same as a dead man, and that nothing was left but for him to support General Jackson for the next President. One of the remarkable features of this state of affairs was that Mr. Van Buren and his friends found it necessary to cultivate more satisfactory relations with De Witt Clinton, who had from the outset been a supporter of General Jackson. Since 1813 or 1814 Van Buren had been the persistent opponent of De Witt Clinton, and the leader of the anti-Clintonian factions in the politics of the State. And now for the first time their crooked ways met.

In 1826 the election for governor had unusual interest to Mr. Van Buren and his friends. De Witt Clinton being a Jackson man, they would have avoided any conflict with him in the race for governorship. While the "Regency" men were extremely anxious to have the ascendancy in the Legislature, they would have been content to make no nominations except for lieutenant-governor. But they did not get their purpose infused into the party manipulators deeply enough to prevent a convention at which Judge Wm. B. Rochester was nominated for governor against Mr. Clinton. The race then had to be made, but greatly anxious was Van Buren and his friends, who were working on the national card, as to the result, as they believed if Rochester should be elected Mr. Adams would carry the electoral vote of the State in 1828. Rochester was defeated, but by a small majority, and there began at once to be talk of his succeeding Van Buren in the Senate, his term



being about at an end. The friends of Mr. Van Buren were under the impression that the Clinton and Adams men and those of Rochester's friends in the Legislature, who would vote for Adams electors, would support and elect Rochester to the United States Senate. But they were agreeably disappointed. Good luck, the thing in which Van Buren yet put an extraordinary degree of confidence, did not desert him now. The Adams men nominated Stephen Van Rensselaer for the National Senate, but on the 6th of February, 1827, Mr. Van Buren was re-elected, some of the Clinton-Jacksonian members actually voting for him. The following is Mr. Van Buren's reply to the Speaker of the Senate on the occasion of his election :—

“WASHINGTON, February 18, 1827.

“SIR,—I have received the resolution of the Senate appointing me a Senator to represent the State in the Senate of the Congress of the United States, after the 3d of March next, and have to ask permission to communicate to the Senate, through you, my acceptance of the office. Relying on the indulgence of the Senate, and in justice to my own feelings, I avail myself of the opportunity thus presented, to say that, having considered my first appointment as an evidence of confidence and liberality to which my public services could have given me no pretension, I can not but regard my reappointment, under existing circumstances, and with such gratifying unanimity, as an act of favor demanding the expression of my utmost gratitude. I do assure the Senate, that I am deeply sensible of the honor which has been conferred upon me. And to justify their confidence, it shall be my constant and zealous endeavor to protect the remaining rights reserved to the States by the Federal Constitution; to restore those of

which they have been divested by construction; and to promote the interests and honor of our common country.

“With great respect, your obedient servant,

“M. VAN BUREN.”

This may be deemed a strangely constructed letter, but nobody could pretend that it is, in any sense, a brilliant one. It was always charged against Mr. Van Buren that he was often so non-committal as to appear to be on both sides of any question; and this quality cut such a figure in the Legislature at this time as to secure him the votes of several Clintonians under the impression that he was not committed to Jackson or Adams. The last sentence of this letter shows well enough the influence of the company Mr. Van Buren was keeping at Washington, and, perhaps, was meant to announce the ground, insincere and foundationless as it was, on which he was going to oppose the re-election of Mr. Adams. Everybody knew that Mr. Adams could not take, nor did he believe in taking reserved rights from the States, by force, or construction, or in any other way; and all his countrymen had the best ground for believing that the honor and the best interests of the Nation as a whole had been solely Mr. Adams's aim as President. But Van Buren's party friends saw the drift of his letter, and they soon began to direct public attention to the support of General Jackson.

Mr. Adams began to be represented as a cold, selfish, unapproachable man, and withal too liberal in his construction of the Constitution. General Jackson was not only a great soldier, but also in heart

and manners, a representative of "the people." In every way he was better than Mr. Adams, and many of the old Federalists went to his support by reason of his famous letters to Mr. Monroe in 1816, letters which were always without meaning or application to his own life or character. Mr. Adams had not been very good to the Federalists, and these Jacksonian letters led them to believe the days of Washington would be restored under "Old Hickory." Under the circumstances an extraordinary and woeful mistake!

Even Jackson's word *reform* was found to mean little more than turning out of office all men not his friends, and putting in only such as would adhere to him, come what might. And this definition of *reform* has unfortunately been maintained, to a great extent, ever since in political parties.

When Mr. Van Buren became the candidate of the Jacksonians for governor in 1828, he selected Enos T. Throop to go with him as Lieutenant-Governor, and although this choice made some divisions in the party that never were healed, Throop was accepted as the candidate. Van Buren and Throop were elected, and eighteen Jackson and sixteen Adams electors were chosen by the districts. The other two electors which the State was allowed were to be chosen by these thirty-four electors. This, of course, gave Jackson twenty of the electors. It may be well to remark here that of all the votes cast for governor at this election, Mr. Van Buren received 136,794, Judge Smith Thompson, the opponent, 106,444, and Solomon Southwick, the Anti-

Mason candidate, 33,345 ; so that Mr. Van Buren did not have a popular majority, and had the Anti-Masons united on Judge Thompson as they should have done, Mr. Van Buren would not only have been defeated, but would, perhaps, have fallen short in the other more conspicuous portions of his career.

On the first of the New Year (1829) the Legislature met, and Governor Van Buren delivered his first and only message. It was of great length and covered a vast variety of interests, while being quite full on the subject of his gratitude and his altogether too humble and obedient self. On the canal improvements and some other points he pursued his non-committal style of apparently being on both sides. On banks and finance generally he treated very fully, and partially laid open his plan (his adopted plan) for a safety fund law making all State banks responsible for the standing of the others. He also recommended the separation of the State and national elections, and holding them at different times. He also recommended the choosing of all the electors for President and Vice-President on a general ticket, instead of by districts ; and urged the necessity of a law to prevent the use of money to influence elections ; and did not neglect to deplore partisan animosities, and recommend charity and even temper in public affairs.

A contemporary writer of the same political faith says of this message :—

“He occupies too much time in getting at the real object of an Executive communication, and as every one

knew the brilliant political prospects that had then evidently opened upon him, he talks so much about his 'humble efforts,' and the 'humblest instrument,' etc., and indeed humbles himself so gracefully, that the public could hardly avoid charging him with an affectation of humility which he did not feel. . . . It is well known that Mr. Van Buren is a self-educated man, and yet there is a neatness, clearness, and simplicity combined with an unostentatious elegance in his style and matter, that is highly creditable to the author and the State, and notwithstanding the defects in it at which I have hinted, it is among the best, if not the best, executive message ever communicated to the Legislature of this State."

Joshua Forman and Dr. Isaac Bronson introduced to Mr. Van Buren the plan for making all banks in the State so far a single corporation as to be responsible for the contracts of one another; and on this the safety fund bill was brought before the Legislature, and became a law, greatly modifying and benefiting the financial system of the State. Only banks which accepted the law were rechartered. The determined patronage of this change in the banking affairs of the State was claimed by Mr. Van Buren's friends as being greatly to his credit.

One of the most remarkable acts of Mr. Van Buren's short administration of seventy days was his appointment of John C. Spencer to an important office. Spencer had been a Clintonian leader, and a bitter opponent of Van Buren. It was difficult to understand this apparent stretch of charity on the part of the new governor. But see his motive! The position to which he had appointed

Spencer was that of special counsel for the detection and prosecution of the murders of William Morgan. In the execution of the duties of this office, if Spencer should fail the Anti-Masons would say it was owing to his treachery or incompetency, and if he succeeded in the prosecutions, the Masons would be fierce in their censure of him. But if the purposes of the law were successful in Spencer's hands, Mr. Van Buren and his friends would really get the credit for it, and any virtue attached to his appointment; but if Spencer failed the failure could be charged to him and his anti-Jackson friends. This was a wonderful way of entering an enemy's bosom to kill him; and was certainly the refinement of partisan political infernalism.

## CHAPTER VII.

MR. VAN BUREN AT THE HEAD OF THE CABINET—GENERAL JACKSON AND MRS. EATON—THE WORK OF REFORM—MR. CALHOUN—THE UNIT CABINET.

ON the 5th of March, 1829, Mr. Van Buren was nominated as Secretary of State, but not for several weeks afterwards did he arrive in Washington and enter upon his duties. In the meantime the discharge of the functions of the office was left to James A. Hamilton, the son of Alexander Hamilton, who was a strong friend of Van Buren and General Jackson, and had the misfortune to figure in the preliminaries to the rupture between Mr. Calhoun and the President. The notorious Samuel Swartwout thought Hamilton was really the coming great man on whose side it would be well for any man to stand if he knew what a man of ordinary intelligence ought to know. But Mr. Hamilton never amounted to quite so much as that.

Many of the kisses Mr. Van Buren received before he left New York began to burn him before he reached the National Capital. He was now at the head of a Department of the Government under an Administration whose great reformatory power was destined to lie in no small degree in providing for



its friends. Mr. Van Buren's own principles led him to sustain the doctrine that no supporter should be allowed to fall unnoticed. And he was now nearly at the height of his popularity in his State, and more than ever he began to feel the hardships of being a favorite son. No public man or President dreaded the office seeker more than did Martin Van Buren. Still he was one of the inventors of the system of changing good, tried, experienced men for untried political friends, and he was barely in his office at the head of the State Department until he fell to removing the clerks under his appointment in the most approved forms of carelessness as to the consequences.

He soon had occasion to write as follows to a political friend:—

“WASHINGTON, April 20, 1829.

“MY DEAR SIR,—I have the honor of acknowledging the receipt of yours, of the 21st ult., and of informing you that the removals and appointments you recommend were made on the day your letter was received.

“With respect, your friend, etc.,

“M. VAN BUREN.”

A few days after this he sent the following note, directly to the point, to Wm. Slade, of Vermont, who subsequently became one of his most troublesome opponents:—

“DEPARTMENT OF STATE, April 28, 1829.

“SIR,—You will please to consider your employment as a clerk in this Department as terminating with the present month. It is left optional with you to continue in it until that period or not; my object in giving you this

early notice being merely to render the change resulting from an unpleasant duty, on my part, as little disagreeable to you as possible.

“With the best wishes for your future welfare, I am your obedient and humble servant,

“M. VAN BUREN.”

On the following day Mr. Slade replied in a long letter, in which he distinctly stated that the Secretary's disposition to discharge an “unpleasant duty” and wish the best possible for his future welfare did not seem to harmonize; and claimed that misconduct on his part could only make his dismissal a duty to the Secretary, urging at the same time as he felt his reputation involved in the discharge, that he ought to know if there was any charge against his honesty, capability, or faithfulness.

To this the Secretary simply replied:—

“DEPARTMENT OF STATE, May 1, 1829.

“Mr. Van Buren presents his respects to Mr. Slade, and informs him, in reply to his letter of last evening, that the note addressed by Mr. Van Buren to Mr. Slade, was written to apprise him of Mr. Van Buren's intention to discontinue his services in the Department, without designing to convey the imputation Mr. S. refers to, or any other, or to make any explanations except so far as related to the time selected for the notice.”

The formula in the post-office ran thus:—

“POST-OFFICE DEPARTMENT, }  
“WASHINGTON, October 3, 1829. ” }

“SIR,—Your services are no longer required in this Department. Respectfully, your ob't. servant,

“W. T. BARRY.”

That was the exact language to a clerk in that branch of the Government employ, of whom it was said, "Mr. Bestor was the most exemplary officer I have ever seen, in the course of eleven years' service." But what did that matter? This system did not consider *good* even, let alone *better*.

Although Van Buren soon became the favorite of President Jackson, and was of great service to him in the turbulent scenes which followed the introduction of his Administration, yet nothing could save him from being personally involved. One of his first acts, his instructions to Mr. McLane, Minister to England, finally led to his own rejection as minister to that country, and yet that proved in the end to be one of the events destined to give success to him, and confound his political enemies, as will be seen.

Mr. Van Buren entered with great warmth and earnestness into the wishes of General Jackson, and of all his ministerial friends and aids, none of them was of more benefit to him than his first Secretary of State. No man was better suited, perhaps, to get on smoothly with General Jackson than Van Buren. He had a temper to stand almost anything, and it was out of the question to lead him to anger or any kind of personal hostility. While he studiously avoided giving offense to any one, he had the happy faculty of taking no offense himself. It was a piece of good luck to General Jackson to have one such man in his Cabinet, at that time especially. His own hot temper was counteracted by the placidity of Mr. Van Buren's.

The following letter shows Mr. Van Buren's estimate of his standing with the President:—

SECRETARY VAN BUREN TO JESSE HOYT, NEW YORK.

(PRIVATE.)

“WASHINGTON, April 13, 1829.

“DEAR SIR,—I never expected to see the day when I should be constrained, as I now am, to address you in the language of complaint. Nothing but my strong conviction of the extent and sincerity of your friendship could sustain me in resisting the belief that you have a settled purpose to quarrel with me. Here I am engaged in the most intricate and important affairs, which are new to me, and upon the successful conduct of which my reputation as well as the interests of the country depend, and which keep me occupied from early in the morning, until late at night, and can you think it kind or just to harass me under such circumstances with letters, which no man of common sensibility can read without pain? Your letter to me at New York contained many truths, for which I am thankful, and reflections which I thought just, but the whole were expressed in terms so harsh, not to say rude, as to distress me exceedingly. I have scarcely recovered from the effect of so great an error in judgment, to say nothing else, when I am favored with another epistle from you, still transcending its predecessor in its most objectionable features. I must be plain with you. I have all my life (at least since I have known you) cherished the kindest solicitude for your welfare, and have manifested at least my good will towards you, and should be extremely sorry to have occasion to change those feelings, but it is due to us both that I should say, that the terms upon which you have seen fit to place our intercourse are inadmissible. It grieves me exceedingly, more than you imagine, to be obliged to say so. When I was favored with your epistle in New York, I had just returned from an interview with

Mr. Bowne, in which I had made your immediate appointment as District Attorney, a point that could be no longer delayed. I have since had an increased desire to see it done, have taken steps to effect it, and with the mail that brings your accusatory letter, I have information that it shall be done; but that you are hesitating whether you will accept it or not. Let me advise you without giving my reason why, to do so.

"The story you tell [the word illegible] as coming from Mr. Hills (a man who, if I know him, is without the slightest consideration in society) about the President's great confidence in Mr. Berrien, and little in me, is the veriest stuff that could be conceived. The répétition of such idle gossip constrains me to say, what I am almost ashamed to do, that I have found the President affectionate, confidential, and kind to the last degree; and that I am entirely satisfied that there is no degree of good feeling or confidence which he does not entertain for me. He has, however, his own wishes and favorite views upon points which it is not my province to attempt to control. Upon every matter he wishes to have the truth and respects it; and will in the end satisfy all of the purity of his views and intentions. I have not time to add another word.

"Your friend and humble servant in extreme haste,  
"M. V. BUREN."

Indeed so well did General Jackson think of Van Buren that he began to indicate before the end of the first year that Mr. Van Buren was his choice for a successor, and in view of his poor health, and, of course, with the supposition that his own public career would end with a single term of the Presidency, a letter was written and addressed to Judge John Overton which was designed to make known to the country that General Jackson had left his

will concerning his successor. This letter was dated December 31, 1830, and in it is this language :—

“It gives me pleasure to inform you that the most cordial good feeling exists between Mr. Van Buren, Major Barry, and Major Eaton. These gentlemen I have always found true, harmonious, and faithful. They not only most cheerfully co-operate with me in promoting the public weal, but do everything in their power to render my situation personally as pleasant and comfortable as the nature of my public duties will admit. Permit me here to say of Mr. Van Buren that I have found him everything that I could desire him to be, and believe him not only deserving my confidence, but the confidence of the Nation. Instead of his being selfish and intriguing, as has been represented by some of his opponents, I have ever found him frank, open, candid, and manly. As a counselor, he is able and prudent, republican in his principles, and one of the most pleasant men to do business with I ever saw. He, my dear friend, is well qualified to fill the highest office in the gift of the people, who in him will find a true friend and safe depository of their rights and liberty.

“I wish I could say as much for Mr. Calhoun and some of his friends. You know the confidence I once had in that gentleman. I, however, of him desire not to speak; but I have a right to believe that most of the troubles, vexations, and difficulties I have had to encounter, since my arrival in this city, have been occasioned by his friends. But for the present let this suffice. I find Mr. Calhoun objects to the apportionment of the surplus revenues among the several States, after the public debt is paid. He is, also, silent on the Bank question, and is believed to have encouraged the introduction and adoption of the resolutions in the South Carolina Legislature relative to the tariff. I wish you to have a few numbers



written on the subject of the apportionment of the surplus revenue, after the national debt is paid. It is the only thing that can allay the jealousies arising between the different sections of the Union, and prevent the flagitious log-rolling-legislation, which must, in the end, destroy everything like harmony, if not the Union itself. The moment the people see that the surplus revenue is to be divided among the States (when there shall be a surplus), and applied to internal improvements and education, they instruct their members to husband the revenue for the payment of the national debt, so that the surplus, afterwards, may be distributed in an equal ratio among the several States. If this meets your view, by giving it an impulse before the people, in a few written numbers, you will confer on your country a blessing that will be hailed as no ordinary boon by posterity, who must feel its benefits. I feel the more anxious about this, because I have reason to believe a decided stand will be taken by the friends of Mr. Calhoun in Congress, against the policy, if not the Constitutionality, of such a measure. Let me hear from you on the receipt of this. Present me affectionately to your amiable family, and believe me to be,

“Your friend,

ANDREW JACKSON.”

For this interesting piece of the interior history of the times, credit is due to the energy of James Parton. Although Jackson's preference at that time was designed to be a secret, it was very accurately conjectured. But as his health improved, the plan of putting forth Mr. Van Buren at the end of his four years soon gave way in the minds of its inventors for that of a second term for the old man himself. It should now be a question of only a few more years for Mr. Van Buren. There was now



no uncertainty about it, and hence he could afford to wait.

When it became known that the President and Vice-President had quarreled, it was widely charged that Mr. Van Buren was at the bottom of the difficulties, as Mr. Calhoun was in the way of his success. And however strong Mr. Calhoun and some of his friends were in this belief of Mr. Van Buren's complicity, he finally came to know that it was a mistake, or at least that all the doubts and facts were in Mr. Van Buren's favor. His visit to Mr. Crawford in the spring of 1827, and his friendly relations with James A. Hamilton were supposed to be more closely connected with Mr. Calhoun's difficulties than appeared on the surface.

Like many men of equal or greater, and the majority of those of less mental, calibre, James A. Hamilton, unfortunately, coming into the secret was willing to be an instrument in stirring up contention. This he did the more readily as it furnished an opportunity to advance the cause of his friend, while it more ingratiated him with Jackson. While it would be natural enough to suppose that Mr. Van Buren might have at least intimated to Mr. Hamilton the course to be pursued from the knowledge which came out of his visit to Mr. Crawford, there is no direct and positive evidence that he did. In fact all the evidence there is in the world now goes to prove that he had no hand in it whatever. While the correspondence was going on between the President and Vice-President, and in the very midst of the great

excitement concerning this rupture, which never could have existed if General Jackson had been influenced more by sentiments of fairness, justice, and charity than by those of narrowness, passion, and resentment, Mr. Van Buren caused to be inserted in the "United States Telegraph" the following statement:—

"Mr. Van Buren desires us, in relation to the correspondence between the Vice-President and various other persons, which has recently appeared, to make the following statement in his behalf:—

"He observes that an impression is attempted to be made upon the public mind, that certain applications by James A. Hamilton, Esq., of New York, to Mr. Forsyth, the one in February 7, 1828, and the other last winter, and a similar one to the Vice-President, for information in regard to certain Cabinet transactions during the administration of Mr. Monroe, and which are referred to by the latter gentleman, were so made by Mr. Van Buren's advice or procurement. Leaving the motives and objects of those applications to those who may deem it necessary to notice them, Mr. Van Buren avers that they, and each of them, were not only made without agency of any description on his part, but also without his knowledge; and that he has, at no period, taken any part in the matters connected with them. He desires us further to say, that every assertion or insinuation, which has for its object to impute to him any participation in attempts, supposed to have been made in the years 1827 and 1828, to prejudice the Vice-President in the good opinion of General Jackson, or at any time, is alike unfounded and unjust. He had no motive or desire to create such an impression, and neither took, advised, nor countenanced, directly or indirectly, any steps to effect that object. For the correctness

of these declarations, he appeals, with a confidence which defies contradiction, to all who have been actors in the admitted transactions referred to, or who possess any knowledge on the subject.

“WASHINGTON, February 25, 1831.”

This statement should have been conclusive in itself as to Mr. Van Buren's complicity in the case, and that not only from his word but also from the fact that those who did participate never asserted that he was to any degree responsible for their course. When the evil had been set in motion it is quite probable that William B. Lewis had more to do in pushing it to a conclusion than anybody else. He was really the cause of the rupture without having the remotest design of being so, as may be seen in other parts of this work.

It was also General Jackson's conviction, as he fully stated, that Mr. Van Buren was entirely free from any kind of participation in his difficulties with Mr. Calhoun. And here, so far as Mr. Van Buren was concerned, this disreputable Jackson-Calhoun quarrel must rest. Yet the whole disgusting affair, as disgraceful as it was, it has been claimed, was one of the most fortunate events which could possibly spring from trifling or unworthy causes, inasmuch as it forever barred Mr. Calhoun from the Presidency. But would it have been a national calamity for Mr. Calhoun to be President? Who could believe so at this day? At the beginning of this quarrel, there were few more brilliant and popular men in all the country than he. In the President's Chair at that

day it would have been his pride to preserve his high reputation.

General Jackson's Cabinet was formed mainly on the fact of his friendship for Mr. Calhoun, and on account of Mr. Calhoun's influence in his election; and the rupture with Mr. Calhoun rendered the Cabinet unsatisfactory, and the kitchen organization a necessity. One other factor, however, made no small figure in the selections for the first Cabinet: that was the well-known opposition of all its members to Henry Clay. Of this first Cabinet Mr. Van Buren alone rose to much national consequence. He was a widower and without daughters, and when the great scandal broke out concerning the family of the Secretary of War, he stood at once unmistakably on the side of the President and his *protégé*, Mrs. Eaton. He visited Mrs. Eaton himself, and supported the President in his efforts to induce others to think that the proper thing for them to do was to be on the best terms with her. Indeed, Mr. Van Buren became very active in the attempt to vindicate her character and establish her place in diplomatic society. And although he induced some of the foreign ministers, situated like himself, without families, to call on Mrs. Eaton and show her that respect "deemed due her official station," his success was indifferent. Whatever Mr. Van Buren did in this case, he did for the simple reason that he thought Mrs. Eaton unjustly accused, and persecuted, and from a genuine desire to harmonize the Cabinet and benefit the country by putting down a disgraceful slander. But

his conduct as to this whole matter was construed by his political opponents and others averse to his aspirations, to be founded on purely politic considerations. It was said that he well knew that the way he pursued was the way to General Jackson's heart, and hence to his own advancement. It was true that he did constantly grow in favor with the President. But there was no foundation, absolutely none, for anybody to suppose that Mr. Van Buren was not perfectly sincere in his support of Mrs. Eaton as an abused and defamed woman, and that he supported the course of General Jackson from principle and unselfishly. Although his motives were assailed in every form as touching this case and that of the Calhoun rupture, further than he made known his motives which were honorable in the extreme, there was no evidence; hence these, like the vast majority of political and partisan fabrications, must fall to the ground.

During Mr. Van Buren's connection with the Administration there were few Cabinet meetings; indeed General Jackson never attached the importance to these meetings that had characterized former Administrations, and which had been of the greatest note in that of Washington. To this fact may be traced the origin of the "Kitchen Cabinet" and his early reliance on the Secretary of State. In President Jackson's first message to Congress in the Winter of 1829, the hand of Mr. Van Buren is quite apparent, as it is in the style and character of the Maysville veto and other messages. There were

really few of the President's acts during that and the succeeding session in which Mr. Van Buren's influence was not of the first weight.

Through his and the efforts of others a kind of reconciliation was effected in the Cabinet, but this lasted only through the Winter of 1830, when the case became so desperate as to make its dissolution necessary. In this, too, there was certainly the hand of Mr. Van Buren. It was a strange and startling event, and many persons considered it another of Van Buren's deeply laid and artful schemes to put himself to still better advantage with the President in seeming to renounce his own interests for the comfort and reputation of General Jackson, and at the same time further strengthen himself with the people, who could not be expected to see a mean motive behind such disinterested appearances. I am here again satisfied, after wading through all that has been written or said or heard of on the subject, that Van Buren's motives were such as to commend him to public admiration rather than suspicion. He tells in his letter of resignation his objects in taking the step, and that and Jackson's reply are the only tangible, and, perhaps, just, grounds of judgment as to the motive which actuated him.

The letters are as follows, and must stand as the best evidence on the motives involved :—

“ WASHINGTON, April 11, 1831.

“ DEAR SIR,—I feel it to be my duty to retire from the office to which your confidence and partiality called me. The delicacy of this step, under the circumstances in



which it is taken, will, I trust, be deemed an ample apology for stating more at large, than might otherwise have been necessary, the reasons by which I am influenced.

“From the moment of taking my seat in your Cabinet, it has been my anxious wish and zealous endeavor to prevent a premature agitation of the question of your successor; and, at all events, to discountenance, and if possible repress the disposition, at an early day manifested, to connect my name with that disturbing topic. Of the sincerity and the constancy of this disposition, no one has had a better opportunity to judge than yourself. It has, however, been unavailing. Circumstances, not of my creation, and altogether beyond my control, have given to this subject a turn, which can not now be remedied, except by a self-disfranchisement which, even if dictated by my individual wishes, could hardly be reconcilable with propriety or self-respect.

“Concerning the injurious effects which the circumstance of a member of the Cabinet’s occupying the relation towards the country to which I have adverted, is calculated to have upon the conduct of public affairs, there can not, I think, at this time, be room for two opinions. Diversities of ulterior preference among the friends of an Administration are unavoidable; and even if the respective advocates of those thus placed in rivalry be patriotic enough to resist the temptation of creating obstacles to the advancement of him to whose elevation they are opposed, by embarrassing the branch of public service committed to his charge, they are, nevertheless, by their position, exposed to the suspicion of entertaining and encouraging such views; a suspicion which can seldom fail in the end to aggravate into present alienation and hostility the prospective differences which first gave rise to it. Thus, under the least unfavorable consequences, individual injustice is suffered, and the Administration embarrassed and weakened. Whatever may have been the course of things under

the peculiar circumstances of the earlier stage of the Republic, my experience has fully satisfied me that at this day, when the field of selection has become so extended, the circumstance referred to, by augmenting the motives and sources of opposition to the measures of the Executive must unavoidably prove the cause of injury to the public service, for a counterpoise to which we may in vain look to the peculiar qualifications of any individual; and even if I should in this be mistaken, still I can not so far deceive myself as to believe for a moment that I am included in the exceptions.

“These obstructions to the successful prosecution of public affairs, when superadded to that opposition which is inseparable from our free institutions and which every Administration must expect, present a mass to which the operations of the Government should at no time be voluntarily exposed; the more especially should this be avoided at so eventful a period in the affairs of the world, when our country may particularly need the utmost harmony in her councils.

“Such being my impressions, the path of duty is plain, and I not only submit with cheerfulness to whatever personal sacrifices may be involved in the surrender of the station I occupy; but I make it my ambition to set an example which, should it in the progress of the Government be deemed, notwithstanding the humility of its origin, worthy of respect and observance, can not, I think, fail to prove essentially and permanently beneficial.

“Allow me, sir, to present one more view of the subject. You have consented to stand before your constituents for re-election. Of their decision, resting as it does upon the unbought suffrages of a free, numerous, and widely extended people, it becomes no man to speak with certainty. Judging, however, from the past, and making a reasonable allowance for the fair exercise of the intelligence and public spirit of your fellow-citizens, I can not

hesitate in adopting the belief that the confidence, as well in your capacity for civil duties, as in your civil virtues, already so spontaneously and strikingly displayed, will be manifested with increased energy now ; that all candid observers must admit their utmost expectations to have been more than realized.

“ If this promise, so auspicious to the best interests of our common country, be fulfilled, the concluding term of your Administration will in the absence of any prominent cause of discord among its supporters, afford a most favorable opportunity for the full accomplishment of those important public objects, in the prosecution of which I have witnessed on your part such steady vigilance and untiring devotion. To the unfavorable influence which my continuance in your Cabinet, under existing circumstances, may exercise upon this flattering prospect, I can not, sir, without a total disregard of the lights of experience, and without shutting my eyes to the obvious tendency of things for the future, be insensible. Having, moreover, from a deep conviction of its importance to the country, been among the most urgent of your advisers to yield yourself to the obvious wishes of the people, and knowing the sacrifice of personal feeling which was involved in your acquiescence, I can not reconcile it to myself to be in any degree the cause of embarrassment to you during the period which, as it certainly will be of deep interest to your country, is moreover destined to bring to its close your patriotic, toilsome, and eventful public life.

“ From these considerations, I feel it to be doubtedly my duty to resign a post, the retention of which is so calculated to attract assaults upon your Administration, to which there might otherwise be no inducement—assaults of which, whatever be their aim, the most important as well as the most injurious effect is, upon those public interests which deserve and should command the support of all good citizens. This duty I should have discharged at

an earlier period, but for considerations, partly of a public, partly of a personal nature, connected with circumstances which were calculated to expose its performance then to misconstruction and misrepresentation.

“Having explained the motives which govern me in thus severing, and with seeming abruptness, the official ties by which we have been associated, there remains but one duty for me to perform. It is to make my profound and sincere acknowledgments for that steady support and cheering confidence which, in the discharge of my public duties, I have, under all circumstances, received at your hands, as well as for the personal kindness at all times extended me.

“Rest assured, sir, that the success of your Administration, and the happiness of your private life will ever constitute objects of the deepest solicitude with your sincere friend and obedient servant,

“M. VAN BUREN.

“THE PRESIDENT.”

“WASHINGTON, April 12, 1831.

“DEAR SIR,—Your letter resigning the office of Secretary of State was received last evening. I could indeed wish that no circumstance had arisen to interrupt the relations which have, for two years, subsisted between us, and that they might have continued through the period during which it may be my lot to remain charged with the duties which the partiality of my countrymen has imposed upon me. But the reasons you present are so strong that, with a proper regard for them, I can not ask you, on my own account, to remain in the Cabinet.

“I am aware of the difficulties you have had to contend with, and of the benefits which have resulted to the affairs of your country, from your continued zeal in the arduous tasks to which you have been subjected. To say that I deeply regret to lose you is but feebly to express my feelings on the occasion.

“ When called by my country to the station which I occupy, it was not without a deep sense of its arduous responsibilities, and a strong distrust of myself, that I obeyed the call ; but, cheered by the consciousness that no other motive actuated me than a desire to guard her interests, and to place her upon the firm ground of those great principles which, by the wisest and purest of our patriots, have been deemed essential to her prosperity, I ventured upon the trust assigned me. I did this in the confident hope of finding the support of advisers, able and true ; who, laying aside every thing but a desire to give new vigor to the vital principles of our Union, would look with a single eye to the best means of effecting this paramount object. In you this hope has been realized to the utmost. In the most difficult and trying moments of my Administration, I have always found you sincere, able, and efficient—anxious at all times to afford me every aid. If, however, from circumstances in your judgment sufficient to make it necessary, the official ties subsisting between us must be severed, I can only say that this necessity is deeply lamented by me. I part with you only because you yourself have requested me to do so, and have sustained that request by reasons strong enough to command my assent. I can not, however, allow the separation to take place, without expressing the hope that this retirement from public affairs is but temporary, and that if in any other station, the Government should have occasion for services, the value of which has been so sensibly felt by me, your consent will not be wanting.

“ Of the state of things to which you advert, I can not but be fully aware. I look upon it with sorrow, and regret it the more, because one of its first effects is to disturb the harmony of my Cabinet. It is, however, but an instance of one of the evils to which free governments must ever be liable. The only remedy for these evils, as they arise, lies in the intelligence and public spirit of our

common constituents. They will correct them; and in this there is abundant consolation. I can not quit this subject without adding that, with the best opportunities for observing and judging, I have seen in you no other desire than to move quietly on in the path of your duties, and to promote the harmonious conduct of public affairs. If on this point you have had to encounter detraction, it is but another proof of the utter insufficiency of innocence and worth to shield from such assaults.

“Be assured that the interest you express in my happiness is most heartily reciprocated—that my most cordial feelings accompany you, and that I am, very sincerely, your friend,

ANDREW JACKSON.

“P. S.—It is understood that you are to continue in office until your successor is appointed.

“MARTIN VAN BUREN, Secretary of State.”

This resignation was preceded by Major Eaton's, and finally by that of all the other members of the Cabinet, except Mr. Barry's. The resignation of the Secretaries of State and War did not make it apparent to the other members of the Cabinet that they were expected to resign. They were not aware that the dissolution of the whole Cabinet had been resolved upon; that one primary object of it was to get rid of them; and that the Secretaries of State and War were concerned in the arrangement. The correspondence leading to the resignation of Branch, Ingham, and Berrien was not to the credit of General Jackson, and the extravagant disposition on his part to eulogize the retiring ministers, retiring by compulsion, has the air of great insincerity about it.

Of this Cabinet explosion the “New York Cour-



ier " said : " Well indeed may Mr. Van Buren be called ' the great magician,' for he raises his wand, and the whole Cabinet vanishes."

The " Charleston Mercury " said of it :—

" It will be seen that the motive of the President, in desiring Mr. Ingham to withdraw, was ' to prevent unjust misconceptions ' in relation to the retirement of Mr. Van Buren, or, in plain language, to prevent the continuance of Mr. Ingham in office from being regarded, as it certainly would have been, as a victory by that gentleman over those of the Cabinet to whom he and his friends are understood to be opposed. The reader will be struck with the difference in every point of view, between this correspondence and that between Mr. Van Buren and the President. Mr. Ingham's letters are as plain and perspicuous as Mr. Van Buren's is ambiguous; and the President's reply, though civil and respectful, is evidently constrained, and totally destitute of that warmth of approbation which he had bestowed upon Mr. Van Buren. The fact is, that the President found himself obliged to give up Mr. Van Buren as a sacrifice to public feeling and public opinion, but that, in yielding to this necessity, he determined that Mr. Van Buren should not be sacrificed alone. Hence his request to Mr. Ingham to resign; hence the warmth of his language to Mr. Van Buren, whom he reluctantly yielded to prudential considerations, and hence his cold civility to Mr. Ingham, whom he compelled to resign, to gratify Mr. Van Buren, and in order that that officer, in retiring himself, should at least have the pleasure of dragging his opponent in his train. It remains to be seen how this proceeding will be relished by the Democracy of Pennsylvania. For his own sake (as well as for the interests of the Treasury, which have never been more ably managed than by Mr. Ingham), we could have wished that the President had

not dismissed him, or, at all events, that he had not avowed, as plainly as he has done, that his motive in dismissing him, was to save the feelings, if not to serve the purposes, of the late Secretary of State. We fear that the plain declaration of such a motive for such an act, will not be approved by the people generally, and particularly by those of the State of Pennsylvania."

"The Richmond Enquirer" wrote as follows of Mr. Van Buren's character and course :—

"Mr. Van Buren tells the President at once why he wishes to withdraw from the Cabinet. The party is divided and distracted about the succession. He himself is now held up as a candidate for the Chair, in spite of his 'anxious wishes and zealous endeavors to prevent a premature agitation of the question.' He is suspected of employing the great influence of his office for the advancement of his own views. The President is attacked through his sides. The Administration is embarrassed and weakened, objections are raised against it by some of its own party, jealousies are engendered, and there is no knowing to what extremes these discords may be hurried. To put an end to this state of things; to reconcile and reunite the party; to give the Administration the united aid of all its friends; and thus to carry through all the reforms which may be in contemplation during the President's two terms of office; and to bring to a happy close his 'patriotic, toilsome, and eventful public life,' Mr. Van Buren avows his determination to retire from the State Department. Is there anything so mysterious in this course, that it can not be understood? Is it so very wonderful, that a man may wish to save his own feelings, at the same time he consults the peace and efficacy of the Administration by surrendering the power and patronage, which he is charged with abusing?

“We now repeat for the last time, most solemnly, that in all the intercourse we have had with this man (Mr. Van Buren) we never heard him, directly or indirectly, by insinuation, work, or whisper, make the slightest allusion to the Presidency. No, not one! Judging of what has been said of others by what we know of ourselves, we are satisfied that great injustice has been done to him. We hope, now he is going to private life, that all such absurdities may be consigned to the ‘vile dust from which they spring.’ It is not by electioneering, it is not by intrigue that such a high office as the Presidency of the United States ought to be won. We repeat it for the thousandth time, the office belongs to the people, and they will give it to whom they please. When they want a Chief Magistrate, they will call him, whether it be Cincinnatus at the plow, or H. Clay mending fences.”

The Middlesex “Gazette” gave this illustration of Mr. Van Buren’s object in resigning his place at the head of the Cabinet:—

“Many years ago (of course, long before cold water associations were dreamed of), Mr. — came into the city upon a warm summer’s day. He drank very freely of punch, and on his return found it impossible to sit steady on his horse. In one of his reelings he lost his balance, but by clinging to the mane of his horse he broke his fall, and came upon his feet. A lad who was in his company asked him what he got off for. ‘O,’ said he, ‘I only got off to get on better!’”

The “Boston Transcript” gave this ludicrous interpretation of Van Buren’s letter of resignation:—

“The great moving spring of atheistical doctrines premeditated and promulgated by the influence of super-

stition, and converted into an union clothes ware-house, can not be more gratified than Jephtha was when he was commander under the influence of the mail stage, connected with the Providence line, coming in full contact with *belles lettres*.

“That class of beings who are never intrusted with anything, should be careful what use they make of it ; for it is a well-known fact that heterogeneous matter, compounded with a sour stomach, renders the garment unfit for use ; therefore, buff vests are more suitable for the rising generation, especially when dampness does not conspire to prevent horticulture from springing up amid the vapors of enthusiasm, which would wholly destroy the circumference of Buren’s hallucinations, connected with an air-pump, that could not inspire genius with Junius’s Letters, although he might have had a hand in hanging Gibbs, the pirate.

“Yours, ——— ———.”

But the attempt to make it appear that Mr. Van Buren’s letter was ambiguous and dark was hardly sincere.

## CHAPTER VIII.

THE MINISTER IN ENGLAND—THE SENATE REJECTS  
HIM—DISGRACEFUL EVENTS.

NOTWITHSTANDING all the speculations and unfavorable criticisms and conjectures, Mr. Van Buren left the Cabinet with considerable advantage to himself. He was high in the affections of the man who was about taking all political power in the country into his own hands. Nobody knew better than Mr. Van Buren that it was a settled point in the programme for him to succeed the General at the end of his second term. He was to have eight years, if possible, and then, perhaps, Thomas Hart Benton was to take his turn at the helm. When it had been decided that the proper or only way to get rid of the troubles of the Cabinet was to break it up, it was arranged that Louis McLane, Minister to England, should be recalled to take a position in the Cabinet, and that Mr. Van Buren should succeed him in England. Major and Mrs. Eaton were also to be provided for. Yet it was not at first publicly known that such plans had been devised.

Mr. Van Buren had made more friends than opponents by his course at Washington, and was altogether the only man benefited by association with

General Jackson's first Cabinet. The Democratic leaders were pleased with his conduct. Even John Randolph of Roanoke was so partial to Mr. Van Buren that soon after he became Secretary of State, he sent him a fine young horse as a token of his appreciation. His friends generally claimed that he had sacrificed himself for the peace of Jackson's Cabinet and the good of the country. And in his own State he was received with many demonstrations of respect, as being almost a martyr to his own good conduct. One of his campaign biographers states the case thus:—

“For this act of self-denying patriotism, he received the most virulent and illiberal abuse from his political enemies. Unable to appreciate the pure and patriotic motives which could lead the possessor of so advantageous a situation, to surrender the influence and prospects which belong to it, they searched for plausible causes, and, failing to find them, resorted to the vilest fabrications. This charge may appear severe, but it is made in the words of truth, nor has anything been detected or disclosed, from that time to the present, to throw the slightest cloud over the high-minded and disinterested conduct of Mr. Van Buren. When the perversions of party feeling and the mists of personal prejudice shall have been removed, this illustrious act of self-devotion to the best interests of his country, will be conspicuous amid the manifold merits of a public life, throughout distinguished for magnanimity and virtue.”

Mr. Van Buren did not leave Washington until early in June, and the President was so loath to give up “Matty,” as he sometimes lovingly called



him, that he went a part of the way with him to New York.

It was, however, the first of August before he sailed from New York with his sons and secretary to London to enter upon his ministry in place of Mr. McLane, who, like himself, had Presidential aspirations.

Mr. McLane was really a friend to the Bank of the United States, and was decidedly Federalistic in his tendencies. His selection as a Cabinet Minister was not especially fortunate for General Jackson. Mr. McLane was fascinated with London society, and "almost rather" with British politics. It was told of him that after seeing the king dissolve Parliament he broke forth enthusiastically to the effect that "he had never supposed it possible he could be brought to envy a king, but he would almost rather have had the feelings of William IV, on the day he dissolved Parliament than those of any other man that has ever lived." This story was told of him by some woman in a letter from London, and whether true or not, it is true that foreign pomp and snobbishness has slightly turned the heads of some of our representatives abroad at different times, and a vast number of our well-to-do people who go abroad on their own account.

Mr. Van Buren took his carriage over to England, and although he, too, was a great Democrat derived from the humblest circumstances, and entertaining at the head of his political creed, "we, the people," he was fully inclined to be well up in foreign

diplomatic pretensions. In September Mr. Van Buren arrived, presented his credentials, and was received with the usual consideration at the Court of St. James; and it was hoped that when he had become fixed in his station the Senate would not cut any capers about his appointment. But this was a mistake, although it required a great stretch of suspiciousness to imagine that the Senate of the United States would reject him. He had been sent out during a vacation in Congress, and by the time that body convened was fairly established in the mission with all the distinctions surrounding the office; and was himself without the remotest idea that his ministry would not continue at his own pleasure. The following letter to Jesse Hoyt will show with what placidity he had settled down in his very agreeable station:—

“LONDON, December 14, 1831.

“MY DEAR SIR,—I thank you kindly for your attention in sending me the newspapers. The result in New York is truly gratifying, and can not fail to have a decided and auspicious effect upon the character of the next session of Congress. It is to be hoped that the utter hopelessness of their cause will induce the opposition to withhold a portion at least of their wonted opposition to the measures of the general Administration, and to give the Old Chief a fair chance in his zealous labors to advance the interest of the country.

“I was not at all disappointed at the result in New York, as the time had obviously arrived for the evaporation of Anti-Masonry.

“There is nothing new here that you will not find in the papers. The Reform Bill will, without doubt, pass

by or without a creation of Peers, as circumstances may require. We have been in constant dread of the cholera, but notwithstanding that the danger has increased, habit has lessened our fears. This city is, I have no doubt, as yet entirely exempt from the malignant and fatal disorder. My health, and consequently my spirits, have not been better for many years. Our situation is very comfortable (always saving its enormous expenses), and the town is full of objects of intense interest, animate and inanimate.

“Remember me kindly to Mrs. Hoyt, and believe me to be,

Very truly yours,

“M. VAN BUREN.”

On the seventh day of December, 1831, two days after the convening of Congress, the President sent a message to the Senate, nominating Mr. Van Buren to be Envoy Extraordinary and Minister Plenipotentiary of the United States at the Court of the Kingdom of Great Britain and Ireland. Not until the 27th was this nomination referred to the Committee on Foreign Relations. On the 10th of January, Mr. Tazewell, from that committee, reported favorably upon the nomination. On the 13th, John Holmes, of Maine, made a motion for investigating the causes of the dissolution of the Cabinet, and as to whether there were causes not stated by the President, and whether Mr. Van Buren was dishonorably connected with them in view of securing his present appointment. This was laid on the table, and the nomination taken up and also laid on the table by the casting vote of the Vice-President, Calhoun.

On the 24th, by motion of Wm. L. Marey, the Senate resumed the consideration of the nomination,

and on the following day by the casting vote of the Vice-President, it was,

*“ Resolved, That the Senate do not advise and consent to the appointment of Martin Van Buren.”*

Four objections were urged against the confirmation of Mr. Van Buren's nomination, as follows :—

“ 1. The instructions drawn up and signed by Mr. Van Buren as Secretary of State, under the direction of the President, and furnished to Mr. McLane, for his guidance in endeavoring to reopen the negotiation for the West India trade.

“ 2. Making a breach of friendship between the first and second officers of the Government—President Jackson and Vice-President Calhoun—for the purpose of thwarting the latter, and helping himself to the Presidency.

“ 3. Breaking up the Cabinet for the same purpose.

“ 4. Introducing the system of ‘ proscription ’ (removal from office for opinion's sake), for the same purpose.”

Against the confirmation were Clay, Webster, John M. Clayton, Thomas Ewing, Theodore Frelinghuysen, Robert T. Hayne, John Holmes, George Poindexter, S. A. Foot, E. F. Chambers, and others. And on the side of the nomination stood John Forsyth, William L. Marcy, Bedford Brown, and General Samuel Smith, as the leading speakers.

Mr. Holmes said in the course of his speech :—

“ Public opinion is not yet settled down as to the true causes of the late explosion in the Cabinet. That a Cabinet of the President's own selection, and whose official duties had, by his own admission, been performed to his entire satisfaction, should so soon be dispersed, is an event

so extraordinary in the history of this country, that the public, and especially the Senate, have a right to be informed of the causes which led to, or operated in, producing such a strange result. . . .

“If the gentleman whose nomination is now the subject of consideration, has in any way contrived or contributed to bring about the event, it would go far to disqualify him for the office to which he has been nominated, and if not, it is due to him that the inquiry should be had. . . .

“The exchange of offices, too, by the late minister, and the appointment of Mr. Van Buren to succeed him, and so soon after this explosion, furnishes a sufficient ground of inquiry. The late minister had been out but a short time ; he had scarcely become acquainted at the Court to which he was sent. There should be strong reasons for recalling a minister, and supplying his place with a new man, and the expense should never be incurred unless the public good manifestly demanded it. This looks much like making provision for a man who, from mysterious circumstances, had been compelled to quit the office which he had held ; and I know no principle in this Government which will justify creating offices or vacancies to provide for favorites, or to reward a partisan.”

The matter in the instructions to Mr. McLane that was the great ground of assault on Mr. Van Buren is the following :—

“The opportunities which you have derived from a participation in our public councils, as well as other sources of information, will enable you to speak with confidence (as far as you may deem it proper and useful so to do) of the respective parts taken by those to whom the administration of this Government is now committed, in relation to the course heretofore pursued on the subject of the colonial trade. Their views upon that point have been

submitted to the people of the United States; and the counsels by which your conduct is now directed are the result of the judgment of the only earthly tribunal to which the late Administration was amenable for its acts. It should be sufficient that the claims set up by them, and which caused the interruption of the trade in question, have been explicitly abandoned by those who first asserted them, and are not revived by their successors. If Great Britain deems it adverse to her interests to allow us to participate in the trade with her colonies, and finds nothing in the extension of it to others to induce her to apply the same rule to us, she will, we hope, be sensible of the propriety of placing her refusal on those grounds. To set up the acts of the late Administration as the cause of forfeiture, privileges which would otherwise be extended to the people of the United States would, under existing circumstances, be unjust in itself, and could not fail to excite their deepest sensibility. The tone of feeling which a course so unwise and untenable is calculated to produce, would, doubtless, be greatly aggravated by the consciousness that Great Britain has, by Order in Council, opened her colonial ports to Russia and France, notwithstanding a similar omission on their part to accept the terms offered by the act of July, 1825. You can not press this view of the subject too earnestly upon the consideration of the British Ministry. It has bearings and relations that reach beyond the immediate question under discussion.

“I will add nothing as to the impropriety of suffering any feelings that find their origin in the past pretensions of this Government to have an adverse influence upon the present conduct of Great Britain.”

This was, indeed, strange and unheard-of language, whoever was responsible for it, and it would be hard to tell what amount of artful and apologetic argument could make it appear fit to enter into the



instructions to a foreign minister under any Administration, under the fair supposition that the Administration is not the country or the Government. Of these instructions Mr. Webster said :—

“I submit to you, and to the candor of all just men, if I am not right in saying that the pervading topic, through the whole, is not American rights, not American interests, not American defense, but denunciations of past pretensions of our own country, reflections on the past Administration, and exultation, and a loud claim of merit for the Administration now in power. Sir, I would forgive mistakes; I would pardon the want of information; I would pardon almost anything, where I saw true patriotism and sound American feeling; but I can not forgive the sacrifice of this feeling to mere party. I can not concur in sending abroad a public agent who has not conceptions so large and liberal as to feel that in the presence of foreign courts, amidst the monarchies of Europe, he is to stand up for his country, and his whole country; that no jot nor tittle of her honor is to come to harm in his hands; that he is not to suffer others to reproach either his Government or his country, and far less is he himself to reproach either; that he is to have no objects in his eye but American objects, and no heart in his bosom but an American heart; and that he is to forget self, to forget party, to forget every sinister and narrow feeling, in his proud and lofty attachment to the Republic, whose commission he bears.”

Mr. Chambers said :—

“Not only, Mr. President, do the fair and unadulterated pages of American diplomacy refuse countenance to such miserable self-abasement, but, sir, the history of all the civilized nations of the earth stamp upon it the indelible character of a gratuitous prostitution, unaided by

precedent, unwarranted by any parallel. Sir, it adds to the deep condemnation which belongs to this subject, that it was as useless and unproductive of gain as it was disgraceful in itself. . . . Sir, I say, and the diplomatic history of the country will prove, that the statement made in this particular charge to the Secretary is false in fact. Yes, sir, doubly false."

Mr. Clayton said :—

"There is another topic closely connected with the honor and interest of this Nation, upon which the nominee before us has been strongly charged, and in relation to which I confess the wish that an investigation, instituted before I took my seat this session, had been prosecuted to its termination before this day. I refer to the causes which produced the disruption of the late Cabinet. I view that event as highly disreputable to our country; and I find that, according to the declaration of a gentleman who formerly edited a paper in the State of New York, advocating the President's Administration, Mr. Van Buren privately informed him 'that it (the dissolution of the late Cabinet) was caused by the conduct of the Vice-President and Mr. Ingham, who desired the retirement of General Jackson from office at the expiration of the first four years of his term of service;' at the same time in effect charging a conspiracy between these gentlemen to traduce the character of a chaste and virtuous woman, in order to produce the destruction of the Cabinet; and stating that he, Mr. Van Buren, had thought it better to retire in time, knowing that, if he led the way, 'the rest must follow.' This information is, I believe, now in the hands of the Senator from Mississippi near me (Mr. Poindexter), and it is said that the author of it is present in the city, ready to bear testimony to the truth of it. However this may be, I must be permitted to say, as one whose course here has been plain, having had

nothing to do with either of the contending branches of the party in power, that I consider such a charge against the Vice-President as unjust, and utterly without foundation; while I hold that the declaration containing the charge contains also an unequivocal admission as to the true agent, and the motive of that agent, in the transaction to which I have alluded."

Mr. Poindexter said:—

"I can view this nomination in no other light, than the result of a systematic course of political gambling and intrigue, originating in personal ambition, and prosecuted with unrelenting ostracism and proscription, on every high-minded statesman in the Nation who refused to subscribe to the articles of faith dictated by this nominee, and prescribed as a test by which the patronage of the Government should be dispensed throughout this widely extended country. The succession to the Presidential Chair must be secured to this court favorite, and the means to accomplish this end were placed at his disposal."

All of these speakers made long arguments, as did Clay, Hayne, Frelinghuysen, Ewing, and Moore, much in the same strain against the nomination.

Mr. Brown said that the Minister to England had not disgraced the country, and the great objection to Mr. Van Buren was, after all, that he had done too much, not too little, for the country.

But the following long extracts from Mr. Forsyth's speech will show fully the line of argument and defense made by the friends of Mr. Van Buren and the President:—

"Mr. Van Buren stands in a strange condition before us; from the beginning of this Administration, before he

came to the post assigned him, until the present hour, he is held accountable by a certain description of political men in this country for all the evil that has been done, and all the good that has been omitted. Now, sir, if he is accountable for everything, if his hand is to be traced everywhere, let him have credit for the good that has, and the evil that has not, been done. Balance the account of the admitted good and evil imputed, and the result will fill the hearts of his enemies with the bitterest disappointment. But, sir, this is not the justice intended for him. He is responsible for all that is complained of. Let us see the Senator from Mississippi (Mr. Poindexter's) catalogue. There were no Cabinet Councils; did the country suffer from his failure to follow the example of late Administrations, from this adherence to the example of General Washington? But there was one Cabinet Council called to sit on a lady's reputation. Indeed, and this Mr. Van Buren is also answerable for. And is it true, sir, that the honorable members of the late Cabinet who remained so tranquilly at their posts enjoying all their emoluments and honors with becoming gratification, suffered themselves to be deprived of their accustomed rights of a seat and voice at the Council Board of deliberations on great matters of vital interest to the public, and yet obeyed the beck and call of Mr. Van Buren, to sit upon a lady's reputation! Of what stuff were they made that they did not distinctly ascertain if this restriction of claimed right, and this insulting call upon them to step out of their appropriate spheres was the work of Mr. Van Buren or the act of the President. If the first, why did they not demand his dismissal, and, if refused, indignantly throw their commissions in the teeth of the Chief Magistrate. The omitted Cabinet Councils, and the single call, were no such dreadful offenses until obliged to follow Mr. Van Buren's example and resign. The history of the last year establishes the wisdom of the

President in calling no Cabinet Council to deliberate, as there could have been no harmony in their consultations, and on the single question said to have been submitted, the Executive Cabinet have shown themselves incompetent to decide. He is not competent to decide on a lady's reputation, who throws out of view the question of how she should be treated on her guilt or innocence. I will not condescend further to refer to the trash with which the public press has been loaded and polluted for months, and unless the Senator from Mississippi has better evidence than the public has yet seen, the hope of implicating Mr. Van Buren in the disturbances that preceded the dissolution of the Cabinet is forlorn.

“Let us see the next crime in the catalogue of the Senator from Mississippi (Mr. Poindexter). Mr. Van Buren intrigued the dissolution of the late Cabinet, taking care previously to secure a safe and prominent retreat in the mission to England. It is known to every well-informed man in this district that Mr. Van Buren, by his admirable temper, his conciliating manners and unwearied exertions, kept the Cabinet together long after its discordant materials were so well ascertained that its dissolution sooner or later was a matter of common speculation. Sir, nobody doubted that the parties could not get on together, and the only surprise was, that the President did not proceed to restore harmony by the removal of those whose disagreements produced the discord. But Mr. Van Buren had the unparalleled effrontery to resign on motives of delicacy and disinterestedness, and as this mode of conduct was so unusual, it has excited a vast deal of surmise and wonder. The Senator from Mississippi (Mr. P.) has, however, satisfactorily to himself, solved the mystery. Mr. Van Buren arranged himself into a prominent place, before he resigned, and a new Cabinet to suit his ambitious views. Now, sir, as to the proof of this preconcerted arrangement for his accommodation and elevation. The

President told somebody, who was a late Secretary, that Mr. Van Buren was to go to England, and named to him the secretaries, who were to come in; but this was after Mr. Van Buren had resigned. In the interview it is acknowledged that Mr. Van Buren's letter of resignation was handed to this volunteer repeater of conversations with the Chief Magistrate. But the Senator says it was before the letter was published—thence he concludes Mr. V. B. had made a cat's-paw of the President for the promotion of his own views; a most logical inference, truly! And this new Cabinet arranged to further Mr. Van Buren's unholy ambition! Is there man, woman, or child in the country who does not know and feel that the change has been beneficial to the public, that there is now more strength, more virtue, and more harmony than there was before? Is there any man who will hazard his reputation by asserting that the present secretaries are capable of being made the instruments of any man's ambition, or so subject to the bias of individual influence, as the late? Partisans are not substituted for pure, disinterested patriots; and let me say, sir, that more partisans have gone out than have come in. . . .

“What a spectacle is here! How long is it since he who was the instrument to bow us down before Great Britain, was unanimously confirmed to a post of honor and important trust? But the instrument by whom he was ordered to act, is to bear the punishment. The author of the instructions, he by whom they were given, is too high to be reached at present; the author of the crime, he who ordered it, escapes—he who commits it, by order, goes free; he who conveys the order answers for both, and upon his head falls all the indignation of these incensed Senators, acting upon public grounds, and reluctantly performing a painful—painful—duty! . . .

“Such was the condition of this question when General Jackson was placed at the head of the country. One



of the first objects of his Administration was the recovery of the British West India trade ; an arrangement of it upon terms of just reciprocity, satisfactory to both parties, and, therefore, promising to be permanent. Mr. McLane was selected to go to England, and these much-abused instructions prepared by the late Secretary of State. Let it be remembered, sir, these are instructions from the President of the United States to the American Minister, never intended for the eye of the British government, and which in no other country but ours would ever have seen the light.

“The opening of the negotiation was the chief difficulty. To remove it, two grounds are taken. It will be remembered that our refusal to accede to the terms of the act of Parliament was made the ground of refusing to treat with Mr. Gallatin and Mr. Barbour, both of whom went prepared to offer an arrangement by reciprocal legislation, taking the act of Parliament as the British legislation. To obviate the difficulty, after a fair and full history of the transaction, these suggestions are presented to Mr. McLane, to be pressed so far as he might deem it useful and proper so to do. If the British persist in refusing to hear you, on this subject, remind them of the circumstances that have occurred ; of the difference of opinion among ourselves on it ; of the abandonment by the Administration of those pretenses that had prevented an adjustment of it ; that they are not to be again brought forward ; that the past Administration was not amenable to the British Government, nor to any other than the people of the United States, who had passed upon all their acts. Say to the British, if it makes pretensions formerly advanced the pretext for still declining to negotiate, the sensibility of the American people will be deeply awakened ; that the tone of public feeling by a course so unwise and untenable will be aggravated by the known fact that Great Britain had opened her colonial ports to Russia and France, notwithstanding a similar omission to accede on their parts to

the terms offered by the act of Parliament. And this, sir, is represented as the language of entreaty, as the begging of a boon. This menace of the public indignation ; this declaration that the late Administration was neither to be censured or praised by foreign nations ; was amenable for their conduct to no earthly tribunal but the people of the United States, is tortured into a claim of privileges, on party grounds for party purposes, and as a disgraceful attempt to throw upon a previous Administration unmerited disgrace, for the sake of currying favor with a foreign power, and that power of all others, Great Britain.

“Great Britain could not resist this frank and open and manly appeal. Committed by their concession in favor of France and Russia, and the Ministry distinctly told by Mr. McLane that he would not remain if they declined negotiation, or placed their refusal upon any other ground than an open declaration that their interests could not permit them to enter into a reciprocal engagement with the United States, the English Cabinet reluctantly yielded, and then came the most odious feature in this transaction, that which has sharpened the intellect of the opposition, to discover dishonor in truth, and a want of dignity in a frank exposition of facts, its crowning success. Mr. McLane and Mr. Van Buren, under General Jackson, succeeded in affecting an object of public solicitude, that Mr. Adams and Mr. Clay and Mr. Gallatin and Mr. Barbour could not obtain. The country was humiliated by the preceding Administration without success ; hence the charge against Mr. Van Buren ; hence the overwhelming anxiety to prove that the success of the late negotiation has been purchased by humiliation. The British Cabinet desired not to make the arrangement, it interfered with great local interests, and if they could, without a manifest and unjust distinction to our prejudice, they would have declined admitting the United States to the privileges granted to the other maritime powers. . . .

“The present Administration waived no right for conciliation’s sake; sacrificed no principle. It stood upon the truth, and truth only; and whatever may be the custom of others, and the ordinary usages of diplomacy, the Administration was right. Nations fold themselves in the robes of falsehood, and swell and strut in vain, to preserve an air of dignity and decorum. No nation ever was just to its own character, or preserved its dignity, that did not stand at all times before the world in the sober and simple garb of truth. Sir, the character of our diplomacy has undergone a marked change; we are no longer pretenders to skill and artifice; all our wiles are facts and reasons; all our artifice, truth and justice. The honorable Senator tells us that this instruction is false, or else it proves Mr. Van Buren to have been eriminally ignorant of what it was his duty to know. How does he make this appear? He alleges that Mr. Van Buren charged the late Administration with being the first to advance the pretension it subsequently abandoned; and this he declares is untrue: the pretension was set up before the late Administration came into power. Now, sir, as I read this paragraph, Mr. Van Buren does not charge the late Administration with being the first to advance this pretension. The Senator will recollect this as a letter to Mr. McLane, whose personal knowledge is appealed to, and who must have understood the writer as alluding to a fact of general notoriety. The words are, “Those who first advanced,” etc., have subsequently abandoned. Can any man mistake the meaning, the meaning perfectly in accordance with the fact? The pretension was advanced by the use of the famous ‘elsewhere’ in our act of Congress, an act known to have been penned by Mr. Adams, who had previously occupied the ground covered by it, in his instructions to Mr. Rush. It was Mr. Adams who first advanced and abandoned this ground. The credit or the odium, whichever term belongs in justice to the act,

attaches to Mr. Adams, and so Mr. McLane could only have understood it, and so must the Senator from Kentucky, if he examines with a desire to understand it in the spirit of the author."

Thomas Hart Benton, the great champion of General Jackson, for some reason took no part in this bitter debate. But he has himself told of what he did, as follows :—

"I have already told that I did not speak in the debate on the nomination of Mr. Van Buren; and this silence on such an occasion may require explanation from a man who does not desire the character of neglecting a friend in a pinch. I had strong reasons for that abstinence, and they were obliged to be strong to produce it. I was opposed to Mr. Van Buren's going to England as minister. He was our intended candidate for the Presidency, and I deemed such a mission to be prejudicial to him and the party, and apt to leave us with a candidate weakened with the people by absence, and by a residence at a foreign court. I was in this state of mind when I saw the combination formed against him, and felt that the success of it would be his and our salvation. Rejection was a bitter medicine, but there was health at the bottom of the draught. Besides, I was not the guardian of Messrs. Clay, Webster, and Calhoun, and was quite willing to see them fall into the pit which they were digging for another."

## CHAPTER IX.

THE MINISTER IN ENGLAND—THE CONVENTIONS—PRESIDENTIAL ELECTION—GENERAL JACKSON AND MR. VAN BUREN.

THE following correspondence brings out the evidence of the chief himself, in a most emphatic way, touching the main points charged against Mr. Van Buren, not only denying every thing, but also freeing "Matty" by shouldering all the responsibility himself, according to his usual habit:—

LETTER OF THE REPUBLICAN MEMBERS OF THE NEW YORK LEGISLATURE TO THE PRESIDENT.

"ALBANY, February 9, 1832.

'TO HIS EXCELLENCY ANDREW JACKSON, PRESIDENT OF THE UNITED STATES:—

"SIR,—The undersigned, in the performance of the duty with which they have been charged by the Republican members of the Legislature of the State of New York, have the honor to transmit herewith the proceedings of a meeting held by them in the Capitol of this State, on the 3d inst. In doing so, they can not restrain the expression of the feelings of indignation with which they view the act to which these proceedings refer.

"A great majority of the citizens of this State have given repeated evidences of the high estimation in which they have held your administration of the affairs of the Nation. The inflexible integrity which has marked every act of your public life—the more than military courage, with which the responsibilities of your high station have been assumed, and the constant regard manifested by you to the purity of the Constitution, have strengthened their attachment to your person and your

Government; and they have not been regardless of the manner in which the splendid career of a military life has been followed by the many signal blessings which your civil Administration has bestowed upon our country.

“This State witnessed with pride the selection of Mr. Van Buren by your Excellency as Secretary of State. Our citizens had given repeated evidences of their confidence in him. With the watchfulness becoming a free people, they had regarded his conduct, in the various stations to which he had been called by the constituted authorities of the State. They had witnessed his attachment, under all circumstances, to the principles of the Democracy of the country, and they had then recently evinced the extent of their confidence by elevating him to the highest office within their gift. They felt that your Excellency’s removal of him to a wider sphere was an act of justice at once to his capacity, honesty, and fidelity to the Constitution, and to the character of this State and the feelings of its people. They cheerfully acquiesced in that removal, and freely surrendered their most distinguished fellow-citizen to your call, because they recognized in it additional confirmation of the high hopes they had imbibed of the character of your Administration. They saw with undissembled pleasure his efforts to aid your Excellency in your successful attempt to restore the Government to its purity; and when his withdrawal from the high station to which your partiality had exalted him, became necessary for the preservation of your peace against the attacks of those who were alike enemies to your person and your principles, they beheld in your continued confidence in him irrefragable proof that no combination could close the eyes of your Excellency to the cause of your country and no personal considerations arrest your efforts for the common welfare. They saw that amid the assaults made upon your principles by unfaithful servants, the honor of our country was not lost to your view, and they felt that the same ardent patriotism which had been manifested on the walls of New Orleans, had been brought into the administration of the Government. They saw and felt this in the effort made by your Excellency to acquire by frank and honest negotiation, that for which we had warred with Great Britain; which had been abandoned, if not surrendered, by



subtle diplomacy ; and upon which your Excellency, at least, had not been silent.

“The people of this whole country felt, indeed, that their confidence in your Excellency was not misplaced ; for they saw and knew that no considerations of a private nature could for a moment affect your ardent desire to promote the common weal.

“It is true they were aware that there were citizens in this Union who could justify and participate in this surrender of ‘free trade and sailor’s rights,’ who could ‘calculate the value of the Union,’ and who could laugh at our calamities in a period of war and general distress. But they could not believe that such feelings could sway any branch of our hitherto unsullied Government, and least of all, that they would ever dare combine to impede the attempt of your Excellency to secure that for our country for which we had expended millions of our money, and for which thousands of our citizens had laid down their lives.

“Your Excellency has ever appreciated the feelings of the people of this country, and it will not now be difficult for you to judge of those which pervade this whole community against an act unprecedented in the annals of our country ; which has impaired the hitherto exalted character of our National Senate ; which has insulted a State that yields to none in attachment to the Union ; and which has directly attacked an Administration that is founded deep in the affections of the people.

“The State of New York, sir, is capable in itself of avenging the indignity thus offered to its character, in the person of its favorite son. But we should be unmindful of our duty, if we failed in the expression of our sympathy with your Excellency’s feelings of mortification at this degradation of the country you have loved so well. Yet be assured, sir, that there is a redeeming spirit in the people, and that those whom we have the honor to represent ardently desire an opportunity of expressing their undiminished confidence in an Administration, which has exalted the character of our country, which has restored the purity of the Government, and has shed abroad upon the whole Nation the continued blessings of peace and prosperity.

“In the fervent hope that your Excellency may yet be

spared many years to bless and adorn the only free Nation upon earth, we remain your sincere friends, and very humble servants,

N. P. TALLMADGE,	THO. ARMSTRONG,
LEVI BEARDSLEY,	JOHN F. HUBBARD,
J. W. EDMONDS,	E. LITCHFIELD,
CH. L. LIVINGSTON,	WM. SEYMOUR,
G. OSTRANDER,	AARON REMER,
J. W. WILLIAMSON,	JAS. HUGHSTON,
PETER WOOD,	WM. H. ANGEL."
ED. POWELL,	

#### THE PRESIDENT'S REPLY.

"WASHINGTON, February 23, 1832.

"GENTLEMEN,—I have had the honor to receive your letter of the 9th inst., inclosing the resolutions passed 'at a meeting of the Republican members of the Legislature of New York,' on the rejection by the Senate of the United States of the nomination of Martin Van Buren as Minister to England.

"I am profoundly grateful for the approbation which that distinguished body of my Republican fellow-citizens of New York have, on that occasion, been pleased to express of the past administration of the affairs placed in my charge by the people of the United States, and for their generous offers of continued confidence and support. Conscious of the rectitude of my intentions, my reliance in all the vicissitudes of my public life has been upon the virtue and patriotism of an enlightened people.

"Their generous support has been my shield and my stay, when, in times past, the zealous performance of the arduous military duties allotted to me, though crowned with success, was sought to be made a ground of reproach; and this manifestation on the part of my fellow-citizens of the great State of New York, assures me that services not less faithful in the civil Administration will not be less successfully defended.

"When such reliance fails the public servant, public liberty will be in danger; for if the people become insensible to indignities offered to those who, with pure intentions, devote themselves to the advancement of the safety and happiness of

the country, public virtue will cease to be respected, and public trusts will be sought for other rewards than those of patriotism.

“I can not withhold my entire concurrence with the Republican members of the Legislature in their high estimation of their eminent fellow-citizen, whom they have so generously come forward to sustain. To this I will add the assurance of my undiminished respect for his great public and private worth, and my full confidence in the integrity of his character.

“In calling him to the Department of State from the exalted station he then occupied by the suffrages of the people of his native State, I was not influenced more by his acknowledged talents and public services than by the general wish and expectation of the Republican party throughout the Union. The signal ability and success which distinguished his administration of the duties of that Department, have fully justified the selection.

“I owe it to the late Secretary of State, to myself, and to the American people on this occasion to state, that as far as is known to me, he had no participation whatever in the occurrences relative to myself and the second officer of the Government, or in the dissolution of the late Cabinet; and that there is no ground for imputing to him the having desired those removals from office which, in the discharge of my Constitutional functions, it was deemed proper to make. During his continuance in the Cabinet, his exertions were directed to produce harmony among its members; and he uniformly endeavored to sustain his colleagues. His final resignation was a sacrifice of official station to what he deemed the best interests of the country.

“Mr. McLane, our then Minister at London, having previously asked permission to return, it was my anxious desire to commit all the important points remaining open in our relations with Great Britain, to a successor in whose peculiar fitness and capacity I had equal confidence; and to my selection Mr. Van Buren yielded a reluctant assent. In urging upon him that sacrifice, I did not doubt that I was doing the best for the country, and acting in coincidence with the public wish; and it certainly could not have been anticipated that, in the manner

of successfully conducting and terminating an important complex negotiation, which had previously received the sanction of both Houses of Congress, there would have been found motives for embarrassing the Executive action, and for interrupting an important foreign negotiation.

“I can never be led to doubt that in the instructions under which that negotiation relative to the trade with the British West Indies, was conducted and successfully concluded, the people of the United States will find nothing either derogatory to the national dignity and honor, or improper for such an occasion.

“Those parts of the instructions which have been used to justify the rejection of Mr. Van Buren’s nomination by the Senate of the United States, proceeded from my own suggestion; were the result of my own deliberate investigation and reflection; and now, as when they were dictated, appear to me to be entirely proper and consonant to my public duty.

“I feel, gentlemen, that I am incapable of tarnishing the pride or dignity of that country, whose glory, both in the field and in the civil administration, it has been my object to elevate; and I feel assured that the exalted attitude which the American people maintain abroad, and the prosperity with which they are blessed at home, fully attest that their honor and happiness have been unsullied in my hands.

“A participation in the trade with the British West India Islands, upon terms mutually satisfactory to the United States and Great Britain, had been an object of constant solicitude with our Government from its origin. During the long and vexatious history of this subject, various propositions had been made with but partial success; and in the Administration of my immediate predecessor, more than one attempt to adjust it had ended in a total interruption of the trade.

“The acknowledged importance of this branch of trade, the influence it was believed to have had in the elections which terminated in the change of the Administration, and the general expectation on the part of the people, that renewed efforts, on frank and decisive grounds, might be successfully made to recover it, imposed upon me the duty of undertaking the task.

“Recently, however, Great Britain had more than once declined renewing the negotiation, and placed her refusal upon the objections which she thought proper to take to the manner of our previous negotiation, and to the claims which had at various times been made upon the part of our Government.

“The American Government, notwithstanding, continued its efforts to obtain a participation in the trade. It waived the claims at first insisted upon, as well as the objection to the imposition by Great Britain of higher duties upon the produce of the United States when imported into the West Indies, than upon the produce of her own possessions, which objection had been taken in 1819 in a dispatch of the then Secretary of State.

“A participation in the trade with the British West India Islands could not have been, at any time, demanded as a right, any more than in that to the British European ports. In the posture of affairs already adverted to, therefore, the Executive could ask nothing more than to be permitted to engage in it upon the terms assented to by his predecessor, and which were the same as those previously offered by Great Britain herself. Even these had been denied to the late Administration, and for reasons arising from the views entertained by the British government of our conduct in the past negotiation.

“It was foreseen that this refusal might be repeated and on the same grounds. When it became the duty of the Executive, rather than disappoint the expectations of the people and wholly abandon the trade, to continue the application, it was proper to meet the objection to the past acts of the American Administration, which objection, as had been foreseen, was actually made and for some time insisted upon.

“It is undoubtedly the duty of all to sustain, by an undivided and patriotic front, the action of the constituted authorities towards foreign nations; and this duty requires that during the continuance of an Administration in office, nothing should be done to embarrass the Executive intercourse in its foreign policy, unless upon a conviction that it is erroneous. A thorough change in the Administration, however, raises up other authorities of equal dignity, and equally entitled to respect; and



an open adoption of a different course implies no separation of the different parts of the Government; nor does an admission of the inexpediency or impracticability of previous demands imply any want of respect for those who may have maintained them.

“To defend the claims, or pretensions, as they had been indiscriminately called, on either side, in the previous correspondence, which had been for a time urged by the late Administration, would have been to defend what that Administration, by waiving them, had admitted to be untenable; and if that which had been by them conceded to be inexpedient, could not be sustained as proper, I perceive nothing derogatory, and surely nothing wrong, in conducting the negotiation upon the common and established principle, that in a change of Administration there may be a corresponding change in the policy and counsels of the Government. This principle exists, and is acted upon, in the diplomatic and public transactions of all nations. The fact of its existence in the recent change of the Administration of the American Government, was as notorious as the circulation of the American press could make it; and while its influence upon the policy of foreign nations was both natural and reasonable, it was proper, according to my sense of duty, frankly to avow it, if the interests of the people of the United States should so require.

“Such was the motive, and such and nothing more is the true import of the instructions, taken as a whole, which I directed to be given to our minister at London; and which neither expressed nor implied condemnation of the Government of the United States, nor of the late Administration, further than had been implied by their own acts of admission.

“I could not reconcile it to my sense of public duty, or of the national dignity, that the United States should suffer continued injury or injustice, because a former Administration had insisted upon terms which it had subsequently waived, or had failed seasonably to accept an offer which it had afterwards been willing to embrace. The conduct of previous Administrations was not to be discussed either for censure or defense; and only in case ‘the omissions of this Government to accept of the terms proposed when heretofore offered,’ should



'be urged as an objection now,' it was made the duty of the minister 'to make the British government sensible of the injustice and inexpediency of such a course.'

"Both the right and the propriety of setting up the past acts of previous Administrations to justify the exclusion of the United States from a trade allowed to all other nations, was distinctly denied, and the instructions authorized the minister to state that such a course towards the United States 'under existing circumstances would be unjust in itself, and could not fail to excite the deepest sensibility; the tone of feeling which a course so unwise and untenable is calculated to produce, would doubtless be greatly aggravated by the consciousness that Great Britain has, by orders in council, opened her colonial ports to Russia and France, notwithstanding a similar omission on their part to accept the terms offered by the act of the 5th of July, 1825;' he was told that 'he could not press this view of the subject too earnestly upon the consideration of the British ministry;' and the prejudicial influence of a course on the part of the British government so unwise and unjust upon the future relations of the two countries, was clearly announced in the declaration, that 'it has bearings and relations that reach beyond the immediate question under discussion.'

"If the British government should decline an arrangement 'on the ground of a change of opinion, or in order to promote her own interests,' a prompt avowal of that purpose was demanded; but if they should not be prepared to take that ground, 'but suffer themselves to desire that the United States should, in expiation of supposed past encroachments, be driven to the necessity of retracing their legislative steps, without knowledge of its effect, and wholly dependent upon the indulgence of Great Britain;' they were to be made sensible of the impracticability of that course, and to be taught to expect such measures on our part as would vindicate our national interest and honor. To announce distinctly to Great Britain that we would not submit to a continued injustice, on the ground of any objection to the past conduct of the American Government, whether it were right or wrong, was the obvious import of the whole instructions.

“If the Executive had caused it to be stated to Great Britain, that finding his predecessors to have been in error, as was implied by subsequently waiving the terms they had advocated, and had, in expiation of those errors, abandoned the trade to the pleasure of the British government, the interests of the United States would have suffered, and their honor been reproached; but in excluding such considerations, as inappropriate and unjust, and in clearly avowing his purpose not to submit to that treatment, he hoped to promote the interests of his fellow-citizens, and sustain the honor and dignity of the country.

“In all this, gentlemen, I have the approbation of my judgment and conscience. Acting upon the principle, early announced, of asking nothing but what is right, and submitting to nothing that is wrong, I asked that only of which the justice could not be denied. I asked a participation in the trade, upon terms just to the United States, and mutually advantageous to both countries. I directed a simple and distinct proposition in conformity with these principles, to be submitted to the British government, and, resolving to be contented with nothing less, I ultimately arranged the trade upon the basis of that proposition, without retraction, modification, or change. If the national honor had not been thought tarnished by retracing our steps, by claiming more and ultimately consenting to take less, and in fact obtaining nothing, I feel assured that in requiring that which my predecessors had conceded to be enough, and obtaining all that was demanded, my countrymen will see no stain upon their dignity, their pride, or their honor.

“If I required greater satisfaction than I derived from a review of this subject, I shall find it in the gratitude I feel for the success which has crowned my efforts. I shall always possess the gratifying recollection, that I have not disappointed the expectations of my countrymen, who, under an arrangement depending for its permanence upon our own wisdom, are participating in a valuable trade upon terms more advantageous than those which the illustrious Father of his Country was willing to accept; upon terms as favorable as those which regulate the trade under our conventions with Great Britain,

and which have been sought without success from the earliest periods of our history.

“I pray you, gentlemen, to present to the Republican members of the Legislature of New York, and to accept for yourselves individually, the assurance of my highest regard and consideration.

ANDREW JACKSON.”

In a letter written by General Jackson to Mr. Van Buren, July 31, 1840, when this matter was again brought up in the heat of political contest, he reasserts his favorite's innocence in this language:—

“It was my intention as soon as I heard that Mr. Calhoun had expressed his approbation of the leading measures of your Administration, and had paid you a visit, to place in your possession the statement which I shall now make; but bad health and the pressure of other business have constantly led me to postpone it. What I have reference to is the imputation that has been sometimes thrown upon you, that you had an agency in producing the controversy which took place between Mr. Calhoun and myself, in consequence of Mr. Crawford's disclosure of what occurred in the Cabinet of Mr. Monroe relative to my military operations in Florida during his Administration. Mr. Calhoun is doubtless already satisfied that he did you injustice in holding you in the slightest degree responsible for the course I pursued on that occasion; but as there may be others who may still be disposed to do you injustice, and who may hereafter use the circumstance for the purpose of impairing both your character and his, I think it my duty to place in your possession the following emphatic declaration, viz.: That I am not aware of your ever saying a word to me relative to Mr. Calhoun, which had a tendency to create an interruption of my friendly relations with him; that you were not consulted in any stage of the correspondence on the subject of his conduct in the

Cabinet of Mr. Monroe ; and that after this correspondence became public, the only sentiment you ever expressed to me about it was that of deep regret that it should have occurred. You are at liberty to show this letter to Mr. Calhoun, and make what other use of it you may think proper for the purpose of correcting the erroneous impressions which have prevailed on this subject."

While, to some extent, the instructions to Mr. McLane were reprehensible in the extreme, the other charges against Mr. Van Buren were not sustained, and, perhaps, most people came finally to believe they were not true. All the charges were evidently founded upon a determination in the opposition members to oppose General Jackson, and were a pretense. It is to be regretted that this is the true state of the case, and that such distinguished and able men would engage in such little business, with a ground, perhaps, for sincerity which they would not have maintained under other circumstances.

It was the first instance in which a minister to a foreign court had been rejected by the Senate after he had been duly accredited, and entered upon his diplomatic services. The English Ministry and the diplomatic circle at London evidently looked upon it as a purely partisan transaction, and the sympathy was decidedly with Mr. Van Buren. Mr. Benton gives this statement as to the influence of the rejection in England and on the career of Mr. Van Buren :—

"There was, at the time, some doubt among their friends as to the policy of the rejection ; but the three chiefs were

positive in their belief that a Senatorial condemnation would be political death. I heard Mr. Calhoun say to one of his doubting friends, 'It will kill him, sir, kill him dead. He will never kick, sir, never kick ;' and the alacrity with which he gave the casting votes on the two occasions, both vital, on which they were put into his hands, attested the sincerity of his belief, and his readiness for the work. How those tie votes, for there were two of them, came to happen twice, 'hand-running,' and in a case so important, was matter of marvel and speculation to the public on the outside of the locked-up Senatorial door. It was no marvel to those on the inside, who saw how it was done. The combination had a superfluity of votes, and, as Mr. Van Buren's friends were every one known, and would sit fast, it only required the superfluous votes on one side to go out ; and thus an equilibrium between the two lines was established. When all was finished, the injunction of secrecy was taken off the proceedings, and the dozen set speeches delivered in secret session immediately published, which shows that they were delivered for effect, not upon the Senate, but upon the public mind. The whole proceeding illustrates the impolicy, as well as peril to themselves, of rival public men sitting in judgment upon each other, and carries a warning along with it which should not be lost."

The vote on confirmation stood 23 to 23, and Mr. Calhoun gave the casting vote against it. The entire action of the Senate was loudly censured, especially by the Jacksonians throughout the country. The sincerity of the opposition was denied, and it was urged upon General Jackson by many that it was a thrust at him alone. But while it was that, acknowledging the partisan view, it was also designed to kill Mr. Van Buren. That, of course, is clear enough.

This was a serious mistake. Indignation meetings were held, and when Mr. Van Buren returned home in his usually placid temper, he was received with uncommon demonstrations of favor under such circumstances. This apparent misfortune had really made his fortune. It was the last thing necessary in the road to the Vice-Presidency and the Presidency. The party was not only confirmed in its former conviction that he was the man, but the master of the party, General Jackson at once decided, "by the Eternal," that Martin Van Buren should be his successor, and should first be Vice-President. It is well known that this program had been substantially arranged upon before Mr. Van Buren went to England. Nothing was now more certain, and his knowledge that the conduct of the Senate had greatly advanced his interests, had something to do with the ease with which he received his untimely recall from England. Some of his American friends unable to wait for his return to show him the light in which they held the action of the Senate, sent over to him resolutions, letters, remonstrances, and to these wordy eulogiums he answered back from London:—

"In testifying to my public conduct the committee are pleased to speak with eulogium of me, as contributing while in the Cabinet to the success of the present Administration; that signal success, I feel called upon to declare, is pre-eminently due to the political sagacity, unwearied industry, and upright, straightforward course of our present venerated chief. All the humble merit I can claim is that of having exerted myself to the utmost to execute his patriotic and single-hearted views, and of having sacrificed



all personal considerations to insure their success, when threatened with extraneous embarrassments. That my exertions were arduous, painful, and incessant, I may without vanity, assert; whether my sacrifices have not been repaid with unmerited detraction and reproach, I leave to my countrymen to determine. Still I shall ever regard my situation in that Cabinet as one of the most fortunate events of my life, placing me as it did in close and familiar relation with one who has been well described by Mr. Jefferson as 'possessing more of the Roman in his character than any man living,' and whose Administration will be looked to, in future times, as a golden era in our history. To have served under such a chief, at such a time, and to have won his confidence and esteem, is a sufficient glory, and of that, thank God, my enemies can not deprive me."

It was now known, beyond a question, or the need of a nominating convention "fresh from the people," that General Jackson was to be the candidate of the Democrats for the Presidency. But for the second office there was to be some show of formality, although there was little more doubt about that. In various ways the machinery was put in motion for calling a national convention, and on Monday, the 21st of May, 1832, at 11 o'clock, it assembled in the Athenæum at Baltimore. At this time there did not seem to be great unanimity among Mr. Van Buren's friends, even Major Eaton and others exhibiting some indifference. But this was discovered to be mere politic coquetry.

Mr. Sumner, of New Hampshire, in addressing the convention, said that the Democrats of his State had originated the idea of a general convention for

nominating Presidential candidates. The honor of this great invention was not questioned, and Mr. Sumner proceeded to propose Judge John Overton, of Tennessee, as temporary chairman. But Overton was ill, and General Robert Lucas, of Ohio, was made chairman *pro tempore*, and John A. Dix, of New York, secretary, for the time.

On the following day the convention met in the Universalist Church, and now in the permanent organization Lucas was continued in the chair, and so bore the distinction of being the president of the first Democratic National Convention. Lucas had filled a number of public positions, was subsequently Governor of Ohio, and was ranked as one of her most valuable early citizens.

Four vice-chairmen were chosen, Dix was retained as secretary, and two assistant secretaries were appointed. Nearly all the States were represented, and after some discussion, the following resolution, which became the foundation of the long famous "two-thirds rule," was adopted:—

"*Resolved*, That each State be entitled, in the nomination to be made for the Vice-Presidency, to a number of votes equal to the number to which they will be entitled in the Electoral Colleges, under the new apportionment, in voting for President and Vice-President; and that two-thirds of the whole number of votes in the convention shall be necessary to constitute a choice."

The District of Columbia sent delegates to this convention, but by a vote of 153 to 126 they were debarred from participation in its proceedings. How-

ever, they were allowed to record their vote after a choice had been made.

It was decided that there should be no formal nominations made, that the delegates might cast their votes as they saw fit. The delegates designated then proceeded to deposit their ballots at the secretaries' tables, when it was found that Connecticut, Ohio, Tennessee, North Carolina, Georgia, Louisiana, Pennsylvania, Maryland, New Jersey, Mississippi, Rhode Island, Maine, Massachusetts, Delaware, New Hampshire, New York, Vermont, Alabama, and Illinois (two votes) had given two hundred and eight votes for Mr. Van Buren; that Illinois (two votes), Indiana, and Kentucky had given twenty-six votes for Richard M. Johnson; and that North Carolina, Virginia, Maryland, South Carolina, and Alabama had given forty-nine votes for Philip P. Barbour, of Virginia. The nomination of Mr. Van Buren was then made unanimous.

No "platform" was announced, and no address framed to the people. But the following resolution was adopted for the guidance of the party:—

*"Resolved, That it be recommended to the several delegations in this convention, in place of a general address from this body to the people of the United States, to make such explanations by address, report, or otherwise to their respective constituents of the objects, proceedings, and results of the meeting as they may deem expedient."*

On Wednesday, the 23d, the business was finished, and this Jackson, or Democratic, convention

adjourned. General Jackson was the Presidential candidate by common understanding, his nomination not having been considered at all in the convention.

The National Republicans, or Whigs, as the opposition now began to be called, were in great haste to make their nominations at this time, and accordingly they met in their first national convention, at Baltimore, on the 12th of December, 1831, with one hundred and fifty-seven delegates present from seventeen States and the District of Columbia. There was no opposition to Mr. Clay, and he was unanimously nominated for the Presidency, and John Sergeant for the Vice-Presidency.

The Anti-Masons were, however, more premature in their movements than the Whigs. In September, 1830, they had held at Philadelphia the first nominating convention approaching a national character which was ever assembled in the country. Francis Granger was chairman of the convention, and although there were present ninety-six delegates, it was concluded to postpone important steps, further than to issue a call for another convention to be held a year later. Accordingly in September, 1831, the delegates met in Baltimore, and nominated William Wirt for the Presidency, and Amos Ellmaker for Vice-President. The sentiments of the Anti-Masons were mainly in harmony with those of the Whigs or National Republicans, but Mr. Clay was a "Mason," nominally at least. If they could have induced the Whigs to nominate John McLean, of Ohio, it would have been agreeable to the Anti-Masons to unite with them.

But as the matter now stood they were compelled to make what show of strength they could marshal in an independent way.

Some of the political issues between the two great parties were now very well defined, and the Democrats claimed that General Jackson had in his conduct of public affairs exhibited extraordinary fitness for the position with which New Orleans had nothing to do.

While Jackson had unbounded faith in his own infallibility, one thing above all others was prominent in his mind, that his greatest enemy was his opponent in the race. Henry Clay overbalanced all other conditions with General Jackson from 1820 to the end of his life.

Although the race was an easy one to Jackson and Van Buren, it was extremely bitter, and attended with great noise and excitement. No little of this was made by the Anti-Masons, who were very energetic. Jackson and Clay were both Free-Masons. Betting on elections now for the first time in the history of the country was carried to a great extent, although it was not then reduced to a regular system of gambling as it was many years later, when it mainly passed into the hands of men who live by gambling and other outlawed practices. Hickory poles were in fashion this campaign, big processions and transparencies with every kind of device, and the standing argument for everything was, "Hurrah for General Jackson!"

On the other hand, the Whigs did a large

business in caricaturing Jackson and "Matty." This had always been a choice mode of electioneering against General Jackson, and now it was made of undue importance, although they were often very ingenious burlesques, and were popular. Few men presented so many good points for caricature as Jackson, and the Whigs made good or bad use of them. The manner in which Van Buren was connected with him made the case more fruitful of good topics. One of the famous pictures of the campaign represented "Matty" as a child receiving pap from a spoon in the hand of the General. In several others he was ludicrously connected with Jackson; and in one as a burglar with the members of the Kitchen Cabinet, and others, as breaking into the Bank of the United States. Still the Whigs mainly relied upon argument in the newspapers and other printed documents and in public speeches.

But at the polls Jackson and Van Buren outstripped even the wildest calculations. South Carolina showed her metal in voting for men who were not candidates, and Vermont gave her electoral vote to the Anti-Masons.

Of the two hundred and eighty-eight electoral votes at that time Mr. Van Buren received one hundred and eighty-nine, thirty less than the Chief, owing to the fact that Pennsylvania, in a freak of foolishness gave her thirty votes to William Wilkins, of that State, for Vice-President. South Carolina gave her eleven votes to John Floyd, of Virginia, and Henry Lee, of Massachusetts. It was a singular



fact that Pennsylvania would cast her vote against Martin Van Buren on account of his anti-protection principles, and yet vote for General Jackson.

Of this election Mr. Benton, a warm partisan of Jackson and Van Buren, wrote:—

“The defeat of Mr. Clay, and the consequent condemnation of his measures, was complete and overwhelming. He received but forty-nine votes out of a totality of two hundred and eighty-eight! And this result is not to be attributed, as is done by Mons. de Tocqueville, to military fame. General Jackson was now a tried statesman, and great issues were made in his person, and discussed in every form of speech and writing, and in every forum, State and federal—from the halls of Congress to township meetings—and his success was not only triumphant but progressive. His vote was a large increase upon the preceding one of 1828, as that itself had been upon the previous one of 1824. The result was hailed with general satisfaction, as settling questions of national disturbance, and leaving a clear field, as it was hoped, for future temperate and useful legislation. The Vice-Presidential election, also, had a point and a lesson in it. Besides concurring with General Jackson in his systems of policy, Mr. Van Buren had, in his own person, questions which concerned himself, and which went to his character as a fair and honorable man. He had been rejected by the Senate as Minister to the Court of Great Britain, under circumstances to give *éclat* to the rejection, being then at his post; and on accusations of prostituting official station to party intrigue and elevation, and humbling his country before Great Britain to obtain as a favor what was due as a right. He had also been accused of breaking up friendship between General Jackson and Mr. Calhoun, for the purpose of getting a rival out of the way—contriving for that purpose the dissolution of the Cabinet, the resuscitation of the

buried question of the punishment of General Jackson in Mr. Monroe's Cabinet, and a system of intrigues to destroy Mr. Calhoun—all brought forward imposingly in Senatorial and Congress debates, in pamphlets and periodicals, and in every variety of speech and of newspaper publication; and all with the avowed purpose of showing him unworthy to be elected Vice-President. Yet he was elected—and triumphantly—receiving the same vote with General Jackson, except that of Pennsylvania, which went to one of her own citizens, Mr. William Wilkins, then Senator in Congress, and afterwards Minister to Russia, and Secretary of War. Another circumstance attended this election, of ominous character, and deriving emphasis from the state of the times. South Carolina refused to vote in it; that is to say, voted with neither party, and threw away her vote upon citizens who were not candidates, and who received no vote but her own; namely, Governor John Floyd, of Virginia, and Mr. Henry Lee, of Massachusetts; a dereliction not to be accounted for upon any intelligible or consistent reason, seeing that the rival candidates held the opposite sides of the system of which the State complained, and that the success of one was to be its overthrow; of the other, to be its confirmation. This circumstance, coupled with the nullification attitude which the State had assumed, gave significance to this separation from the other States in the matter of the election; a separation too marked not to be noted, and interpreted by current events too clearly to be misunderstood. Another circumstance attended this election, of a nature not of itself to command commemoration, but worthy to be remembered for the lesson it reads to all political parties founded upon one idea, and especially when that idea has nothing political in it; it was the Anti-Masonic vote of the State of Vermont, for Mr. Wirt, late United States Attorney-General, for President; and for Mr. Amos Ellmaker, of Pennsylvania, for Vice-President."

## CHAPTER X.

## POLITICAL PARTIES—A VIEW.

AT the close of the war for national independence, strictly speaking, political parties did not exist. But now questions naturally arose as to the best form of government to be adopted, or as to the main and most generally satisfactory features of the republic, and the result of these questions was the division of the people into parties more or less distinctly formed. Faith in the old Articles of Confederation was generally shaken. They had been found totally inadequate in time of peace, wholly unfit for the purposes of a national Union. But what should take their place, was the great theme from which sprang the first political factions.

But at the close of the Revolutionary War the social military order of the Cincinnati was organized; and not long subsequently in New York City at the instance of William Mooney, an upholsterer, the Tammany Society, or Columbian Order, was also set on foot. There were many speculations and suspicions as to the character and object of the Cincinnati, not a few believing that it would eventually support a hereditary nobility. Mooney and his friends, as they claimed, started the Columbian

Order to counteract the tendencies of the Cincinnati, and named it after the Indian Chief, Tammany, who had been a champion of individual liberty.

During the Administration of Washington, Tammany lost its standing for a time, and nearly died out, to some extent from Washington's unfavorable opinion of it. It was, indeed, purposeless, as the object of its organization had disappeared. But in the rise of political faction in national affairs, Tammany assumed a political character, and in harmony with its original leading nominal trait took sides with Thomas Jefferson. It now enrolled a large membership, and soon became a vast party engine in New York, and was felt as no inconsiderable power in other parts of the Nation. A part of the Tammany Hall men in 1818, acquired the name of *Bucktail* from wearing in their hats on certain occasions the tail of a deer.

They were opponents of De Witt Clinton, and hence for a time all the opponents of Clinton were called Bucktails. But in the course of the next decade or two the New York factions mainly disappeared. On the Republican side they were absorbed into the Jacksonian or remodeled Democracy, and in the opposition they mainly became Whigs. Accordingly as the roots of factions and parties were more or less deeply fixed in social necessities, in national principles, in great lasting moral and governmental theories, they were temporary or long lived.

In the Revolution the American people were practically divided into Patriots and Royalists, Whigs

and Tories, or the American party and the British party. The Order of the Cincinnati, organized at the time of disbanding the Continental Army, was designed as a useless and harmless brotherhood of old military associates and friends, intended merely to perpetuate the friendship of those who had borne the great hardships of the long struggle. While it was really void of a political aspect, to the sensitive republican imagination it soon came to mean titles, aristocracy, and consolidated American tyranny. If an apology could be offered here for the Order of the Cincinnati it would be for the political trait it undesignedly embraced and would have developed and perpetuated. Its members had fought and suffered for a great cause, and having won, like a race of knights, were willing to pledge themselves for the perpetuation of its benefits. What they had done so well was not to be undone. The sword that won would be ready in time of need to defend, and at all times to warn, the evil-doer. The counterpart of this short-lived order is to be found in more modern times in the "Reunions of the Grand Army of the Republic," an organization not, however, dreaded by or of much interest to political parties, while its patriotism is a matter of national honor.

With the success of the Revolution its political parties came to an end, there being left only, or mainly, the colonial jealousies which had been manifested even at the most trying moments, and the elements from which were to spring the sectional strife of later times. Out of the necessities of the

Confederation and the question of what the country must do to be saved, rose up two parties which have substantially continued to this day, while they have not wholly absorbed the political attentions of the people. The Federalists and Anti-Federalists fought the great conflict for the Constitution and its National Government, as has been shown with sufficient clearness and fullness in the earlier volumes of this work. With the success of the misnamed Federalists the Anti-Federalists lost the main ground for their name and their perpetuation.

But as losers in the contest they had no disposition to graft themselves upon the successful party. Indeed they believed they would be of sufficient benefit to themselves and the country if they could do no more than watch men whose political principles they doubted and whose purposes they suspected. But the name *Anti-Federalist* was as incongenial to them as it had been inaptly coined. The real evils attaching to them and it they desired to leave behind. The old issue was gone, and many of the best of those who would stand with the Anti-Federalists in the new cast were not willing to bear their name nor share with them the odium of their errors and unstatesman-like projects. In the original nomenclature the Federalists had gained an advantage which they did not now need to abandon; in fact, they needed to hold all the advantages they had ever possessed.

But while all or most Americans were republicans, it had suited the Anti-Federalists to say and



believe that this was not so, and that the Federalists had among them a considerable monarchic element, if the whole body of the party was not suspiciously tainted. Here was presented a pretext, a conjuror's pretext, for a new party name, and an escape from the dead and disreputable term, *Anti-Federalist*, which they were unwilling to bear, although they could not escape from the history of the past. Thomas Jefferson, who was not a participant in the struggle for the Constitution, and who naturally belonged with the Anti-Federalists, was entirely unwilling to bear their name and share their sins, as were other men of note who subsequently stood with him. But unfortunately Mr. Jefferson could not help himself, and his new Republican party became the heir and successor of the Anti-Federalists, thereby bearing upon its shoulders, with a justice that could not be escaped, an unenviable past history.

The name *Republican* was meant to indicate that the Federalists constituting the opposite and dominant party were not republicans, were tainted with monarchy and aristocracy, was meant for popular effect as well as to express a characteristic political fact. But the spirit which controlled the Anti-Federalists was that of the Republicans. All the principles that belonged to them which survived the struggle for the Constitution, descended to the Republicans. In fact, the Republicans of 1796 and for many years afterwards were mainly the men themselves who had fought against the Constitution, and had been known as Anti-Federalists, and were yet so

known and called by the Federalists, and even among themselves, throughout the country.

If the name *Federalist* had been sharply and fortunately chosen at the outset, that of *Republican* was still more a matter of good fortune to the party which bore it. It meant more license and less law and restraint, more privileges, individual and social, and less exaction and discipline than could be attached to Federalism, and with the "masses" it rapidly rose into favor. But, after all, these Republicans were the Anti-Federalists, because they were the opposition then, and had been the intractable and unreasonable party in the great contest for the Government. And now they embraced in their ranks the riotous, non-law-abiding, Jacobinic elements which disturbed the first Administrations and disgraced that period of the Nation's history.

With its great leader coming to the head of the Government in 1801, the Republican party became responsible for the conduct of affairs, and its character improved. It embraced what had been established and tried, and while tempering the application of law, maintained the honor and authority of the Government. In its success the old animosities lost their strength, the cry of monarchy and aristocracy which always had been more or less fraudulent, became better understood and died out, and the Federal party ceased to have its original national importance. Its brief career had been a grand one, but in administration its successful opponent had departed so immaterially from the tracks it had made that its very

existence in the old form seemed to be unnecessary. The demands of the country were mainly fulfilled in the fairly dignified, just, and prosperous condition of affairs gradually and finally reached under the Republican succession. The early and more or less stigmatic name, *Anti-Federal*, was gradually dropped, when the Republican had become the dominant party. The Federalists were now the antis with the little strength they possessed, and so they continued to be until their organization was lost and they were absorbed into a new cast of parties.

In 1824 and 1828 the contests for the Presidency were, to a great extent, mere personal combats, all the candidates being Republicans of different degrees of intensity. The four candidates in 1824 had all been supporters of the Republican or Democratic Administrations, but little consideration was given to this fact. If the Federal party had disappeared, the Republican had also lost its organization, and the Administration which followed this election was non-party in character. But this state of affairs could not exist long, nor perhaps was it wholly desirable.

General Jackson had been called a Federalist opprobriously by some who little understood the nature of the man. He had been beaten under circumstances peculiarly grating to a man who could not tolerate defeat in any direction. He was determined to be President, and in so large a field it was impossible for General Jackson to operate without party organization. All men must be his friends or his enemies. There was no other way, and hence a revival of the

Republican party with some form of opposition became an unavoidable feature of the times. The clean and beneficial Administration of Mr. Adams had tended strongly towards a more liberal national policy, and in various respects the changing aspects of social thought and development were planting and fostering the seeds of new political organizations. The Republicans had long, indeed from the time they tried to slip out of the name *Anti-Federalist*, been called Democrats, and the terms became of interchangeable import and value. But under the autocratic soldier who leaped into the chair of the Presidents in 1828, the party was to be revived with a vigor surpassing its best early days; but the favorite old appellation was dropped, and the still wider and more specious one *Democratic* permanently assumed. By way of distinction to the leader, for a time this was known as the Jackson Democracy, and even yet many of the General's political descendants take pride in calling themselves Jacksonian Democrats. With some serious vicissitudes this great political half of the American people still maintains its organization with no diminution of its early vigor.

In 1828, as may be seen in another volume of this work, New York had the misfortune to furnish an event which temporarily revolutionized her political affairs, greatly disturbed a considerable portion of the country, and gave rise to the short-lived Anti-Masonic party. Mr. Adams was unfavorable to the Masons, and General Jackson was nominally a member of the order. Still Jackson was in the hands of

his friends, was far from the seat of the extraordinary turmoil, and the South was not so much interested in it. Although New York, for a year or two, ignored all distinctions but Masonic and Anti-Masonic, the whole matter gradually died away, there not apparently being foundation or principle enough in it to maintain party interest and organization.

The Federalists in the great struggle for a new and reliable government, were the friends and establishers of the Union. The Anti-Federalists or Republicans, while holding themselves originally to be friends of the country, eventually became friends of the Union, the Government established against their will. As the term *Republican* grew into favor it was sometimes placed before Federalist (Republican Federalist), and the Republicans, to widen the apparent chasm between themselves and their enemies, often took the name, *Democratic Republicans*. As the Federalists wore out, or the need of something new began to be felt, they began to call themselves "National Republicans." So they were known as late as 1828 and 1832. As early as 1824 many of the Republicans had, in the development of events, become National Republicans or Federalists, and the evidences of party division were more apparent.

Most of the old distinctive traits had passed away, but to all the democratic principles and practices of the Republicans were added the theories, projects, and methods of the more modern leaders, and the Jacksonian or new Democratic party was formed, shorn of the term *Republican*, a name destined

after a time to be assumed by their victorious opponents.

In 1832 the Nationalists, or Federalists, began to be called Whigs, and for a few years the party issues were tolerably well defined. But as New York generally gave the original impetus to new political movements, if she did not also invent the names, the term *Whig* was really first applied to the opposition in the Winter of 1834 in New York City. There, too, in the following year sprang up the local "Equal Rights" party, and originated the strange term *loco-foco*, which the Whigs were not slow in applying to the entire Democratic party.

In 1852 the Whigs made their last contest for the Presidency. They were badly defeated, and the necessities of the times seemed to demand a new organization. But this state had been reached gradually through the developments of years. At its bottom was the sectionalism exhibited even in the dark days of the Revolution, and mainly founded on human slavery. Although from the organization of the Government this subject had been an almost constant source of turmoil and dissension, and a matter of great anxiety to patriots in all parts of the country, yet until 1819 and 1820 there was no decisive issue made. The political parties had handled the slavery question with great caution, and even in the last Whig or Federalist contest of 1852, both parties with almost equal degrees of warmth made soothing pretensions toward the South.

Under the last term of General Jackson's Admin-



istration the consequences of the slavery agitation were widely felt. In the Winter of 1834 many petitions on the subject were rejected by Congress, and during the next few years several hundred thousand petitioners were denied a hearing. Both political parties were under the control of the slave power. And until 1856 the party platforms generally deprecated all interference in any form with this explosive matter, while the Democrats more especially constituted themselves the patrons of slavery and its interests. Aspiring politicians of both schools, indeed, deemed their open subserviency on this topic the only road to national eminence. In those days no Presidential candidate could hope for success who was rejected by the South, where the very idea of a President selected from a Northern State was never agreeable, and at any time barely tolerable.

Although in Congress the friends of fair, free speech and the right of petition, and the Abolitionists were gagged, many of them could not be quieted, and so the agitation went on. The desire for present peace, and the overpowering demands of trade and commerce, led to efforts in the North to suppress the growing anti-slavery feeling. It was again the religion of ease and mammon against the development of great principles in actual life. Trade, commerce, money-getting, ease, and the desire for party supremacy, throughout the long struggle with human slavery were the ignominious elements in the North which rendered its party and social leaders and a large per cent of "the people" subservient to the South and

its growing, arrogant pretensions. This truculence becomes more detestable in view of the fact that only a faction of the Democratic party, and here and there a Whig, in the North ever held to the mediæval or more modern dogma of the divine right of slavery.

But the question would not die while the "institution" lived. And the spirit which, in Congress, terminated often in angry words and sometimes in blows, in the country ended in mobs. Elijah P. Lovejoy was one of the first victims of mob violence in 1837. In the previous year a mob of so-called business men, pro-slavery people, and others, destroyed and threw into the river at Cincinnati, the press of "The Philanthropist," an Abolition newspaper edited by James G. Birney. In 1838, Pennsylvania Hall at Philadelphia was finished and dedicated to freedom, but the red-handed incendiary made way with this. A few years later "The True American," owned and edited by Cassius M. Clay at Lexington, Kentucky, was broken up, and the office fixtures sent to Cincinnati, that they might not contaminate soil sacred to slavery.

From 1832 to 1850 this mob spirit at times exhibited itself in a great part of the North, and even New England was early impressed with the "impolicy" of slavery agitation. But opposition and friction increased the flame. There was now no settlement of this question. At last, despairing of recognition in the established parties, the enemies of slavery met in April, 1840, at Albany, New York, and organized the Abolition, or "Liberty Party of

the United States." This was a new factor for the first time brought into the Presidential contest of 1840. The inevitable conflict had really begun, which was destined to end in the downfall of human slavery.

The character of the race made by the Whigs in 1852 clearly exhibited the weakness of the party and the lack of all reliable cohesive elements. The quiet, steady, cautious men of the North had still hoped that this party would eventually meet the great principles of liberty and equal justice in which they believed the Government had been founded. They were disappointed. Events had rapidly moved forward which rendered the continuance of the Whig party undesirable and useless, and in the course of the next four years great changes took place in the political aspects of the country.

The Missouri Compromise Line had yet been regarded as the sacred partition between freedom and slavery. In 1845 it had been reaffirmed in the annexation of Texas, and again strengthened by a fugitive slave law in 1850; but in 1854 the Kansas-Nebraska Act, the act of the Southern leaders, tore away this line of "discrimination," and an era of stupendous political events was inaugurated.

The opponents of the Administration now increased with great rapidity on every hand. Fusion, or Anti-Nebraska, conventions were held in several Northern States, and the elements were maturing for the formation of a new party necessarily sectional in a sense while slavery should exist, but whose

principles were to embrace the grandest possible theories of national unity and prosperity. The American, or "Know-Nothing" party, which had formed an extraordinary and striking feature of the great campaign of 1852, had crumbled to pieces like many other political and social fabrications much less wisely and justly founded; and in truth all factions and interests became concerned or absorbed in the opposition to the Administration, and what was deemed its high-handed, mad, and vicious measures.

This new party was composed of Northern Democrats opposed to the policy of the Administration, many of the "Know-Nothing" partisans, the body of the Abolitionists, and, to a great extent, the old-line Northern Whigs, who were the legitimate descendants and heirs of the Federalists, these latter finally and really constituting the main, controlling element of the organization. Not the least important and strange thing about this new party was its name, *Republican*, the favorite word of Thomas Jefferson. It had been chosen and greatly exalted among its wearers when they were nothing but Anti-Federalists, nothing but fierce, factious, and unreasonable opponents of the Federalists. It was made to distinguish between the friends and advocates of a free republican government and those of an aristocracy or monarchy. When other men were equally republican, it claimed that they were not. It was held to imply, finally, everything wise, politic, best, and safest for the American people, when it was said that *Federalist* signified nothing but

wrong and ultimate ruin to the country. It finally covered a great and honorable party, really representing most people and interests of the Republic; and eventually wore itself out in quiet and prosperous administration of national affairs. At all events, when its members and heirs woke up with a giant at their head in 1828 the name soon disappeared, and the revived party became the Jacksonian or new Democracy. This was the old Republican party with some new principles, but the name was discarded and lost forever.

A new era was now about to be inaugurated in which the great principles and spirit of republican liberty were to be maintained against what was believed to be the jealous, domineering aristocracy of slavery; and strangely enough the old name long worn by the Administration or Democratic party was adopted by the vigorous opposition. This new Republican party increased with great rapidity, but from the very outset its name was offensive, and finally became exceedingly opprobrious and hateful to those who had once borne it with pride and success for a quarter of a century or more. The Republicans marshaled their forces in the Presidential contest of 1856, and, although they were defeated, their extraordinary strength, and the spirit of the times plainly indicated that they had but four years to wait. In 1861, Abraham Lincoln, the first President elected by this latter-day Republican party, was inaugurated, and the most interesting and wonderful period in the history of the Republic was begun.

## CHAPTER XI.

MR. VAN BUREN AS VICE-PRESIDENT—GENERAL JACKSON PUTS FORWARD HIS FAVORITE.

ON the 4th of March, 1833, Mr. Van Buren took the oath of office as Vice-President, and when Congress assembled in the following Winter, on the 16th of December he took his position as President of the Senate.

This is the brief address delivered by him on this occasion :—

“SENATORS,—On entering on the duties of the station to which I have been called by the people, deference to you and justice to myself require that I should forestall expectations which might otherwise be disappointed. Although for many years heretofore a member of the Senate, I regret that I should not have acquired that knowledge of the particular order of its proceedings which might naturally be expected. Unfortunately for me, in respect to my present condition, I ever found those at hand who had more correctly appreciated this important branch of their duties, and on whose opinions, as to points of order, I could at all times safely rely. This remissness will, doubtless, for a season, cause me no small degree of embarrassment. So far, however, as unremitting exertions on my part, and proper respect for the advice of those who are better informed than myself, can avail, this deficiency will be remedied as speedily as possible ; and I feel per-



suaded that the Senate, in the meantime, will extend to me a considerate indulgence.

“But however wanting I may be, for the time, in a thorough knowledge of the technical duties of the Chair, I entertain, I humbly hope, a deep and solemn conviction of its high moral obligations. I am well aware that he who occupies it, is bound to cherish towards the members of the body over which he presides, no other feeling than those of justice and courtesy; to regard them all as standing upon an honorable equality; to apply the rules established by themselves, for their own government, with strict impartiality; and to use whatever authority he possesses in the manner best calculated to protect the rights, to respect the feelings, and to guard the reputations of all who may be affected by its exercise.

“It is no disparagement to any other branch of the Government to say that there is none on which the Constitution devolves such extensive powers as it does upon the Senate. There is scarcely an exercise of Constitutional authority in which it does not mediately or immediately participate; it forms an important, and, in some respects, an indispensable part of each of the three great Departments, Executive, Legislative, and Judicial; and is, moreover, the body in which is made effectual that share of power in the Federal organization so wisely allowed to the respective State sovereignties.

“Invested with such august powers, so judiciously restricted, and so sagely adapted to the purposes of good government, it is no wonder that the Senate is regarded by the people of the United States as one of the best features in what they at least consider to be the wisest, the freest, and happiest political system in the world. In fervent wishes that it may long continue to be so regarded, and in a conviction of the importance of order, propriety, and regularity in its proceedings, we must all concur. It shall be an object of my highest ambition, Senators, to join with

you, as far as in me lies, in effecting those desirable objects; and in endeavoring to realize the expectation formed of this body at the adoption of the Constitution, and ever since confidently cherished, that it would exercise the most efficient influence in upholding the Federal system, and in perpetuating what is at once the foundation and the safeguard of our country's welfare, the Union of the States."

The following extract of a letter from Thomas Morris, United States Senator from Ohio, written December 17, 1833, from Washington, gives his view of Mr. Van Buren at the time, and also shows his disappointment in the so-called great men around him:—

"Yesterday the Vice-President (Mr. Van Buren) took his seat in the Senate. You will see his address delivered on the occasion, in the papers; it was handsomely done. He is rather rapid in the dispatch of business, but will, I think, preside with dignity. He is a fine, erect man in his gait, and is, I should think, about fifty-five years old. With all the hue and cry against him, I have no doubt he will be the next President. A majority of the Senate are decidedly oppositionists, and they have appointed all the committees, bearing the same complexion. There has been some speculation here that Mr. Webster is about to leave Mr. Clay, and join the Administration. I am half inclined to think so myself; but it will be done by degrees, and this session, I think, you may look for him between the parties. It is idle to talk of party spirit, in the Ohio Legislature, when compared with the feeling of the opposition here; but they are entirely overpowered in the House.

"I am a good deal disappointed in the appearance and management of the great men. McDuffie is far from the

man I expected to find him; he is violent in his gestures, and dogmatical in his statements. The Senate may well be termed the aristocratic branch of the Government, for it is truly so at present. It is even whispered here that Mr. Taney, as Secretary of the Treasury, is to be rejected. I hope not, for the honor and dignity of the Senate.

“Is the rejection of Mr. Van Buren already forgotten, and will the Senate destroy their usefulness by their capriciousness?”

In this new position Mr. Van Buren gave very general satisfaction. But there was little opportunity in the next three or four years for his opinions on the issues of the day to appear either for or against his farther advancement. On the establishment of a national bank in New York, he expressed himself in the Jacksonian spirit of opposition. He was assiduous, it appears, in his disposition to cultivate his Southern friendships. And his Southern friends exhibited considerable anxiety as to his position on the slavery question. Whatever may have been his opinions at a later date, at this time his views, frankly and truthfully expressed no doubt, were all the political leaders of the South could desire, and in the main the Jackson Democrats did not distrust him. Not so with the Calhoun Democrats, who did mistrust any thing from him, and a small faction, headed by H. L. White, was unwilling to follow his lead. But this will appear more fully hereafter.

The following letters will show Van Buren's views on the slavery issue as to the general powers of Congress, and the District of Columbia and the location of the power in the States, as well as

exhibit completely the want of feasibility and candor in the suspicion of him at the South:—

“WASHINGTON, July 11, 1834.

“DEAR SIR,—I owe you an apology for not having sooner acknowledged the receipt of your obliging letter of 26th May. My opinions on the subject of the power of Congress over slave property in the Southern States, are so well understood by my friends, that I am surprised that an attempt to impose upon the public respecting them should be hazarded.

“The subject is, in my judgment, exclusively under the control of the State governments; and I am not apprised, nor do I believe that a contrary opinion, to an extent deserving consideration, is entertained in any part of the United States. The charge, therefore, to which you have had the goodness to call my attention, that I ‘am in favor of an interference by Congress, in manumitting your slave property,’ is destitute of foundation; so far from it, I do not see on what authority the General Government could interfere, without a change of the Constitution, even at the instance of either or of all the slaveholding States.

“With great respect and regard, I am, dear sir, very truly, yours,

M. VAN BUREN.

“TO SAMUEL GWIN, ESQ., Clinton, Mississippi.”

“OWASCO, September 10, 1835.

“MY DEAR SIR,—Your letter of the 22d ult. met me at this place, on my return from the Falls, and I lose no time in replying to that part of it which relates to the continued attempts to prejudice my friends, as well as myself, in the estimation of the South in respect to the slave question.

“It is deeply to be regretted that there should be found, on the part of any, inducements sufficiently strong to increase an excitement, already so alarming, by a resort to

imputations, in the truth of which no ingenuous mind can place the slightest confidence. The allegations which attribute to me views and opinions that are so justly obnoxious to the slaveholding States, are made in the face of the most explicit declarations on my part, denying all authority on the part of the Federal Government to interfere in the matter—against the propriety of agitating the question in the District of Columbia, and in the absence of a single fact, giving the least countenance to the unfounded imputations. I should poorly requite the candor with which I have hitherto been treated by the great mass of my fellow-citizens at the South, were I to allow myself to apprehend that those who would otherwise be disposed to give me their confidence, could, under such circumstances, suffer me to be prejudiced in their opinion by the unsupported assertions of my enemies, however reckless or vehemently persisted in. Were these fabrications, therefore, designed to affect me only, I should not hesitate to leave the matter as it stands to the spontaneous action of my countrymen. But when it is intended to reach, in this way, those who honor me with their friendship, I do not feel myself at liberty to withhold any correction that may, by possibility, be useful to them. With this view I send you the inclosed proceedings of the citizens of Albany upon the subject, and authorize you to say, that I concur fully in the sentiments they advance. I was absent from the city at the time the meeting was held, but took an early occasion to advise its call, and to encourage the attempt to make it, what it has been, a meeting of the people, without reference to their sentiments on any other subject than that which was discussed before it. Connected with its proceedings are to be found the names of our principal State officers, executive and judicial, including the Governor of our State, with an array of private citizens, which for personal worth and weight of character, has never, to my knowledge, been excelled at any previous meeting.

“It would be presumption in me to add any assurances of my own as to the sincerity with which the sentiments they express are entertained, or of their disposition to make them effectual upon the important subject to which they relate.

“May we not, then, hope that the proofs of an affectionate and just spirit towards the rights and interests of the South, which have been brought out by this hitherto threatening excitement, will have the effect, in future, to remove all unfounded impressions, and to put an end to every feeling and prejudice inconsistent with the principles upon which the Union was founded?

“Earnestly cherishing this pleasing anticipation,

“I am, dear sir, very truly, your friend and ob’t serv’t,

“M. VAN BUREN.”

“WASHINGTON, March 6, 1836.

“GENTLEMEN,—I have the honor to acknowledge the receipt of your letter apprising me of the deep anxiety which is felt by a portion of your fellow-citizens, as to my views upon a topic vitally affecting their immediate welfare and happiness, and of the importance of their being possessed of a thorough knowledge of them; and asking me to say, whether I do or do not believe that Congress has the Constitutional power to interfere with, or abolish slavery in the District of Columbia?

“I am not only willing, but desirous, gentlemen, that you should have the most thorough knowledge of my views and feelings upon the delicate and interesting subject with which your question is connected; and I shall endeavor to acquaint you with them in the fullest manner in my power.

“Not having, heretofore, had the honor of being in political communication with you, I am not advised whether the sentiments relating to it, which have been avowed by myself and by my authority, within the last



two years, have come to your knowledge. I deem it, therefore, proper, to furnish you with the substance of them, before I reply to your more specific inquiry. The avowals to which I refer were—

“1st. An opinion that Congress has no right to interfere in any manner, or to any extent, with the subject of slavery in the States;

“2d. Against the propriety of their doing so in the District of Columbia; and

“3d. The statement of my full concurrence in the sentiments expressed by the citizens of Albany, in public meeting, the most important of which are as follows, viz.: ‘That the Constitution of the United States carries with it an adjustment of all questions involved in the deliberations which led to its adoption, and that the compromise of interests in which it was founded, is binding in honor and good faith, independently of the force of agreement, on all who live under its protection and participate in the benefits of which it is the source;’ ‘That the relation of master and slave is a matter exclusively belonging to the people of each State, within its own boundary, and that any attempt by the Government or people of any other State, or by the General Government, to interfere with or disturb it, would violate the spirit of that compromise which lies at the basis of the Federal compact;’ ‘That we can only hope to maintain the Union of the States by abstaining from all interference with the laws, domestic policy, and peculiar interests of every other State;’ ‘That all such interference which tends to alienate one portion of our countrymen from the rest, deserves to be frowned upon with indignation by all who cherish the principles of our Revolutionary fathers, and who desire to preserve the Constitution by the exercise of that spirit of amity which animated its framers;’ ‘That they deprecated the conduct of those who are attempting to coerce their brethren in other States into the abolition of slavery,

by appeals to the fears of the master and to the passions of the slave; and that they could not but consider them as disturbers of the public peace, and would, by all Constitutional means, exert their influence to arrest the progress of such measures;' 'That whilst they would maintain inviolate the liberty of speech and the freedom of the press, they considered discussions, which, from their nature, tend to inflame the public mind and put in jeopardy the lives and property of their fellow-citizens, at war with every rule of moral duty, and every suggestion of humanity, and would be constrained, moreover, to regard those who, with a full knowledge of their pernicious tendency, persist in carrying them on, as disloyal to the Union;' 'That the people of the South would do great injustice if they allow themselves to believe that the few who are interfering with the question of slavery, are acting in accordance with the sentiments of the North upon the subject;' and finally, 'That they made these declarations to their Southern brethren in the same spirit of amity which bound together their fathers and ours, during a long and eventful struggle for independence; and that they did, in full remembrance of that common association, plight to them their faith to maintain in practice, as far as lies in their power, what they had thus solemnly declared.'

"These views, thus expressed and sanctioned by myself, appear to me to cover the whole ground, save the abstract question to which you have been pleased to call my attention, and I cheerfully embrace the opportunity you have felt it your duty to afford me, to explain myself fully on that also. As anxious as you can possibly be, to arrest all allegation upon this disturbing subject, I have considered the question you have propounded to me, with a sincere desire to arrive at the conclusion, that the subject, in respect to the District of Columbia, can be safely placed on the same ground on which it stands in regard

to the States, viz.: The want of Constitutional power in Congress to interfere in the matter. I owe it, however, to candor, to say to you, that I have not been able to satisfy myself that the grant to Congress, in the Constitution, of the power of 'exclusive legislation in all cases whatsoever' over the Federal District, does not confer on that body the same authority over the subject that would otherwise have been possessed by the States of Maryland and Virginia; or that Congress might not, in virtue thereof, take such steps upon the subject in this District, as those States might themselves take within their own limits, and consistently with their rights of sovereignty.

"Thus viewing the matter, I would not, from the lights now before me, feel myself safe in pronouncing that Congress does not possess the power of interfering with or abolishing slavery in the District of Columbia. But, whilst such are my present impressions upon the abstract question of the legal power of Congress, impressions which I shall at all times be not only ready, but disposed, to surrender upon conviction of error, I do not hesitate to give it to you as my deliberate and well-considered opinion, that there are objections to the exercise of this power, against the wishes of the slaveholding States, as imperative in their nature and obligations, in regulating the conduct of public men, as the most palpable want of Constitutional power would be.

"You have alluded in your letter to the conspicuous situation in which I have been placed before the public, and I take it for granted that it is to that circumstance, rather than to any other, that I am to ascribe the solicitude felt by yourselves and your fellow-citizens in respect to my views on this subject. I recognize, to the fullest extent, the propriety of this desire on your part; and although there is nothing in your letter making the avowal necessary, I prefer that not only you, but all the people of the United States shall now understand, that if the

desire of that portion of them which is favorable to my elevation to the Chief Magistracy should be gratified, I must go into the Presidential Chair the inflexible and uncompromising opponent of any attempt on the part of Congress to abolish slavery in the District of Columbia, against the wishes of the slaveholding States; and also with the determination equally decided, to resist the slightest interference with the subject in the States where it exists. In saying this, I tender neither to them nor to you any pledges, but declare only settled opinions and convictions of duty. Those who doubt that they will be carried into full and fair effect, are under no obligations to trust me. An opportunity is afforded them to exercise their free choice in the matter, and they may be assured, that there is no one less likely to complain of its exercise than myself.

“The peculiar importance of the subject, and a desire (which you will allow me to feel) that my views of it should be correctly understood, make it proper that I should explain the grounds of the opinions above expressed. They are founded, amongst others, on the following considerations, viz.:—

“1st. I believe that if it had been foreseen, at the time of the adoption of the Constitution, that the seat of the Federal Government would be fixed in a slaveholding region, and that the subject of slavery would be there agitated to the prejudice of those holding this species of property, the right to do so would, with the assent of the non-slaveholding States, have been made an exception to the unrestricted legislative power given to Congress over the district to be ceded.

“2d. I can not but regard the agitation of this subject in the District of Columbia as a surprise upon the people of Maryland and Virginia, being very confident that if the state of things which now exists had been at all apprehended by those States, the cession of the district

would not have been made, except on the express condition that Congress should exercise no such power; and that with such a condition the cession would, in the then state of public opinion, have been readily accepted.

"3d. I do, therefore, believe that the abolition of slavery in the District of Columbia, against the wishes of the slaveholding States (assuming that Congress has the power to effect it), would violate the spirit of that compromise of interests which lies at the basis of our social compact; and I am thoroughly convinced that it could not be so done without imminent peril, if not certain destruction to the Union of the States. Viewing the matter in this light, it is my clear and settled opinion that the Federal Government ought to abstain from doing so, and that it is the sacred duty of those whom the people of the United States intrust with the control of its action, so to use the Constitutional power with which they are invested as to prevent it.

"I think it due to the occasion, and only a simple act of justice to my fellow-citizens of the North, of all political parties, to add the expression of my full belief, that the opinions above expressed accord in substance with those entertained by a larger majority of the people of the non-slaveholding States, than has ever before existed in those States on a public question of equal magnitude. It is also due to them to say that their sentiments on this subject spring out of considerations of too high a character, and look to consequences of too solemn an import, to be shaken by slight causes. With only a generous confidence on the part of the South in their brethren of the North, and a firm determination on the part of each, to visit with their severest displeasure any attempt to connect the subject with party politics, those sentiments can not be overthrown. All future attempts on the part of the abolitionists to do so, will then only serve to accumulate and concentrate public odium on themselves. That

there are persons at the North who are far from concurring in the prevailing sentiment I have described, is certainly true; but their numbers, when compared with the rest of the community, are very inconsiderable; and if the condition of things be not greatly aggravated by imprudence, many of them, I have no doubt, will ultimately adopt sounder views of the subject; and the efforts of those who may persist in the work of agitation, may be overcome by reason, or rendered inoperative by Constitutional remedies.

“To one class of those who have hitherto petitioned Congress for the abolition of slavery in the District of Columbia, I can not forbear to refer. I allude to the Society of Friends, or the people usually denominated Quakers. The uniformity of their course upon this subject, the temperate manner in which it has been manifested, and the marked excellence of their conduct and character, appear to have conciliated respect for their motives, even from those who differ with them in opinion. As far as my observation has enabled me to judge, it is due to them to say, that as there has been no indication of any change of opinion upon their part during the present excitement, so has there been no evidence of a disposition to lend themselves to the undue agitations of the public mind, attempted by others. There is certainly no class of people in this country who have a deeper interest in the preservation of the Union and of the happy system of Government which it upholds than they; and it has now become very apparent to all reflecting and observing minds, that the question of slavery in the District of Columbia can not be pressed to the result they desire, with safety to those paramount objects. Do not these considerations justify the hope that from them, at least, we may reasonably expect for the future a mode of dealing with the subject which, while it does no injustice to their principles, shall repress, instead of increasing



agitation, and not endanger the great interests to which I have referred? To doubt it would be to distrust the influence which industry, morality, intelligence, and republican habits, qualities which all admit them to possess in a high degree, are calculated, in great emergencies, to exert upon the conduct of their possessors. And for the like reason, it may certainly be expected that well disposed persons of other religious denominations who, without a full consideration of the difficulties which surround this subject, and of the dangerous consequences to which the efforts of the abolitionists so evidently tend, have lent to those efforts the influence of their names and character, will be careful hereafter to avoid the repetition of an error so unfortunate and mischievous.

“In every view of the subject, therefore, it does appear to me that, although there certainly is, in the present condition of the country in relation to it, sufficient to excite the most serious attention, there is nothing in the state of public opinion in the United States to justify that panic in the public mind which invariably disqualifies those who partake of it, from dealing wisely or successfully with the circumstances by which it is produced. From abroad we have, I think, some right to expect less interference than heretofore. We shall, I am confident, for some time at least, have no more foreign agents to enlighten us on the subject. Recent results here, and the discussions with which they have been attended, can not fail to attract the attention of the reading and reflecting portion of the foreign public. By these means they will be made to understand our real condition in this respect, and they will know that the unchangeable law of that condition is, that the slave question must be left to the control of the slaveholding States themselves, without molestation or interference from any quarter; that foreign interference of every description can only be injurious to the slave, without benefit to any interest, and will not be

endured by any section of our country ; and that any interference, coming from even the non-slaveholding portions of our own territory, is calculated to endanger the perpetuity, and if sanctioned by the General Government, would inevitably occasion the dissolution of our happy Union. Seeing the subject in this, its true aspect, and conscious as they must be that the downfall of this Republic would be the severest blow that the cause of liberty and self-government could receive, and from which its recovery would be hopeless, the wise and the good amongst them, those who are really guided by the principles of justice and humanity, will pause and acknowledge that they have misapprehended the true bearings of this question. Instead of accusing our countrymen, who hold property in slaves, with disregarding the general principles of liberty and the dictates of a pure religion, they will recognize in this class of our citizens as sincere friends to the happiness of mankind as any others, and will become sensible that this species of property, the result of causes over which they had no control, is an inheritance which they only know how to dispose of. Instead of charging the people of the non-slaveholding States, as has often been done, with hypocrisy in professing an ardent love of freedom, they will find that the free citizens of the North are only acting upon the principles of fidelity to their most solemn engagements, that if they were to attempt the accomplishment of what is desired of them by those who regard slavery as inconsistent with the equal rights on which our institutions are founded, they will involve themselves in the odium, either of seeking to evade a compact which was the means and the pledge of our national existence, or of availing themselves of their present power and unexampled prosperity, to dissolve a connection with their Southern brethren, formed at a period of mutual adversity, for a cause which was then not only known to exist, but the continuance

of which was expressly recognized in the bond of their union.

"I have thus, gentlemen, been compelled to extend my remarks considerably further than I intended when I commenced to answer your inquiry. As, however, the subject was delicate and important, I feel that I have not trespassed farther upon your time in its explanation than was proper to enable you to comprehend the views I entertained of it, or than was respectful to the considerations which justified your call for those views. And I feel assured, whatever may be the difference of opinion, if any, which exists between myself and any other portions of my fellow-citizens, that the issue of this matter as of all preceding questions which have agitated the public mind, and have been thought to be pregnant with danger, will, in their hands, be such as to strengthen the bonds of their Union, and to increase those fraternal and patriotic affections, which our past national history has so often and so honorably illustrated.

"I am, very respectfully, your obedient servant,

"M. VAN BUREN."

"Messrs. JUNIUS AMIS, ISAAC HALL, JOHN WALL, C. YELLOWBY, SAMUEL B. SPIRRILL, and JAMES W. PUZINN, Jackson, N. C."

Provision for, and support of, political friends is the incubus of politicians, the toused witch that rides them in many a furious dreamland scene. It was perfectly in harmony with Mr. Van Buren's principles to let no partisan server go uncared for. And yet nothing more easily upset his well-known placidity than the appeals of chronic office-hunters. While he was a warm supporter of the New York system of compensating political friends, and is held up as the introducer of the villainous practice of removals for opinion's sake to the ready notice of

Andrew Jackson, there is no reliable evidence that he was guilty of reprehensible conduct in carrying out the practice. At all events, charges of underhanded or dishonorable conduct in these things are not sustained against him. A bargain for himself, he never made. Art was his forte, but not corruption. A man who advocated a principle for hire was never to Mr. Van Buren's taste, although such heavy charges were made against him at different periods of his life, for some of his positions, and especially was it maintained by his opponents that he was vulnerable on the Southern side of his politics, that he was Northern with Southern principles.

The following short letter shows how well Mr. Van Buren felt over his own prospects, as he knew himself to be the "heir apparent," and what an erroneous estimate he put upon the "poor Whigs," a thing he found out in 1840:—

MARTIN VAN BUREN TO JESSE HOYT, NEW YORK.

"KINDERHOOK, October 21, 1834.

"MY DEAR SIR,—I send you with the greatest pleasure the letter you desire for our friend, Phelps. I have been here for a few days, where the enemy is using very desperate efforts. I almost begin to pity the poor Whigs. Their next cognomen will be Democrats—remember what I say. I think you ought, at some of your meetings, to call upon them, as our friends have done in Philadelphia, to give notice by what name they mean to pass next year.

"In haste, very truly yours,

"M. VAN BUREN."

While Mr. Van Buren was quietly presiding in the Senate the two great parties were gathering

strength for the next conflict. The tariff compromise which temporarily pacified the nullifiers, advanced the interests of both parties. While the opposition was made sure in the Senate, and the Whigs lay high claims to the work of Mr. Clay, the friends of General Jackson considered that he had put down nullification, and the country was loud in his praise. A cry for Jackson now meant a cry for Van Buren, as was understood. It was the will of General Jackson. The fact that Mr. Van Buren was not a member of the Cabinet made little or no difference. He was warm in the confidence of the President, and little was done in General Jackson's Cabinet during the Vice-Presidency of Mr. Van Buren of which he did not know. He was still a first counselor. General Jackson was noted for being at times remarkably *polité*. But he never could surpass Mr. Van Buren in this quality. Although the General sometimes, even in the presence of others, familiarly called Mr. Van Buren "Matty," with Mr. Van Buren, even when they were alone, it was "The President," and in company, it was "as the President desires." This conduct was extremely gratifying to General Jackson. The ways of Martin Van Buren were always admirable to him. He was strong with the people, and hence Mr. Van Buren was strong. The people were to make Mr. Van Buren the next President, because General Jackson was providing that they should. No man was ever more fortunate than this ; and no wonder that Mr. Van Buren was pleased with the outlook.

In 1833, when President Jackson made his famous trip to the North, and was dubbed LL. D. at Harvard College, he took Mr. Van Buren with him, and it was his pride to show his favorite to advantage, where the hearts and hands of the people were everywhere opened to himself. To respect, praise, and like him was to do all of these things to "Matty."

In 1834, when the country was distressed over the straitened financial circumstances, and Congress was flooded with petitions on the subject, a remarkable and interesting scene touching the character of Mr. Van Buren was witnessed in the Senate. Mr. Benton thus describes it:—

"Mr. Clay rose to second the motion of Mr. Webster to refer and print this memorial; and, after giving it as his opinion that the property of the country had been reduced four hundred millions of dollars in value, by the measures of the Government, thus apostrophized the Vice-President (Mr. Van Buren), charging him with a message of prayer and supplication to President Jackson:—

"But there is another quarter which possesses sufficient power and influence to relieve the public distresses. In twenty-four hours, the Executive branch could adopt a measure which would afford an efficacious and substantial remedy, and re-establish confidence. And those who, in this chamber, support the Administration, could not render a better service than to repair to the Executive mansion, and, placing before the Chief Magistrate the naked and undisguised truth, prevail upon him to retrace his steps and abandon his fatal experiment. No one, sir, can perform that duty with more propriety than yourself. [The Vice-President.] You can, if you will, induce him to change his course. To you, then, sir, in no unfriendly



spirit, but with feelings softened and subdued by the deep distress which pervades every class of our countrymen, I make the appeal. By your official and personal relations with the President, you maintain with him an intercourse which I neither enjoy nor covet. Go to him and tell him, without exaggeration, but in the language of truth and sincerity, the actual condition of his bleeding country. Tell him it is nearly ruined and undone by the measures which he has been induced to put in operation. Tell him that his experiment is operating on the Nation like the philosopher's experiment upon a convulsed animal, in an exhausted receiver, and that it must expire in agony, if he does not pause, give it free and sound circulation, and suffer the energies of the people to be revived and restored. Tell him that, in a single city, more than sixty bankruptcies, involving a loss of upwards of fifteen millions of dollars, have occurred. Tell him of the alarming decline in the value of all property, of the depreciation of all the products of industry, of the stagnation in every branch of business, and of the close of numerous manufacturing establishments, which, a few short months ago, were in active and flourishing operation. Depict to him, if you can find language to portray, the heart-rending wretchedness of thousands of the working classes cast out of employment. Tell him of the tears of helpless widows, no longer able to earn their bread, and of unclad and unfed orphans who have been driven, by his policy, out of the busy pursuits in which but yesterday they were gaining an honest livelihood. Say to him that if firmness be honorable, when guided by truth and justice, it is intimately allied to another quality, of the most pernicious tendency, in the prosecution of an erroneous system. Tell him how much more true glory is to be won by retracing false steps, than by blindly rushing on until his country is overwhelmed in bankruptcy and ruin. Tell him of the ardent attachment the unbounded devotion, the enthusiastic gratitude towards

him, so often signally manifested by the American people, and that they deserve, at his hands, better treatment. Tell him to guard himself against the possibility of an odious comparison with that worst of the Roman emperors, who, contemplating with indifference the conflagration of the mistress of the world, regaled himself during the terrific scene in the throng of his dancing courtiers. If you desire to secure for yourself the reputation of a public benefactor, describe to him truly the universal distress already produced, and the certain ruin which must ensue from perseverance in his measures. Tell him that he has been abused, deceived, betrayed, by the wicked counsels of unprincipled men around him. Inform him that all efforts in Congress to alleviate or terminate the public distress are paralyzed and likely to prove totally unavailing, from his influence upon a large portion of the members, who are unwilling to withdraw their support, or to take a course repugnant to his wishes and feelings. Tell him that, in his bosom alone, under actual circumstances, does the power abide to relieve the country; and that, unless he opens it to conviction, and corrects the errors of his Administration, no human imagination can conceive, and no human tongue can express the awful consequences which may follow. Entreat him to pause, and to reflect that there is a point beyond which human endurance can not go; and let him not drive this brave, generous, and patriotic people to madness and despair.'

"During the delivery of this apostrophe, the Vice-President maintained the utmost decorum of countenance, looking respectfully, and even innocently, at the speaker, all the while, as if treasuring up every word he said, to be faithfully repeated to the President. After it was over, and the Vice-President had called some Senator to the chair, he went up to Mr. Clay, and asked him for a pinch of his fine maccaboy snuff (as he often did); and having received it, walked away. But a public meeting in Phila-

delphia took the performance seriously to heart, and adopted this resolution, which the indefatigable Hezekiah Niles 'registered' for the information of posterity :—

“ ‘ *Resolved*, That Martin Van Buren deserves, and will receive the execrations of all good men, should he shrink from the responsibility of conveying to Andrew Jackson the message sent by the Honorable Henry Clay, when the builders' memorial was presented to the Senate. I charge you, said he, go to the President and tell him—tell him if he would save his country, if he would save himself—tell him to stop short, and ponder well his course ; tell him to retrace his steps, before the injured and insulted people, infuriated by his experiment upon their happiness, rises in the majesty of power, and hurls the usurper down from the seat he occupies, like Lucifer, never to rise again. ’ ”

## CHAPTER XII.

PRESIDENT-MAKING — CONVENTIONS — PRESIDENTIAL  
ELECTION—THE COUNT—INAUGURATION.

PRESIDENT-MAKING has been an important pursuit in this country ever since the times of John Quincy Adams. The inauguration ceremonies and noise are barely ended until the talk and preparation for the successor begins, and estimates are made on availabilities and the immoral political doctrine of great party services and compensations. When the Senate rejected the nomination of Mr. Van Buren as Minister to England, General Jackson determined that what he had at first merely desired should now be actually carried out, that Martin Van Buren should be Vice-President and then follow him in the Presidency. This conclusion on the part of the General was not long kept from the public; and when the Democratic convention met at Baltimore in May, 1835, eighteen months before time for the election, it was found that all of the six hundred or more delegates were for Mr. Van Buren. There was no question about him, and his nomination was without a shadow of opposition.

At Albany, on the 16th of February, 1835, a meeting of the Democratic members of the Legislature was held, in which it was decided to concur

with New Jersey in favor of a national nominating convention to meet in Baltimore in May of that year. The convention plan was not yet popular, although the Congressional caucus, becoming distasteful, had been abandoned in 1824. The caucus still had friends, and the convention system had many enemies. Even Hezekiah Niles, the staunch veteran political observer and writer, thought nominating conventions would go the way of the caucuses. Of this proposed convention the "Nashville Banner" said :—

"So long as we live and breathe American air we will resist the insidious proposition, whencesoever and whencesoever it may originate, to lay at the feet of village politicians and placemen, who must usually fill conventions, the inestimable privilege of thinking and acting for ourselves in the choice of our rulers."

But on Wednesday, May 20, 1835, the convention met in Baltimore, and at ten A. M. was called to order in the Fourth Presbyterian Church. Andrew Stevenson, of Virginia, was made chairman, and delivered an address of considerable length. There was then a prayer, and the names of the delegates were called.

There were present large delegations from twenty-two States as follows : Maine, New Hampshire, Massachusetts, Connecticut, Vermont, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, Georgia, Kentucky, Ohio, Indiana, Missouri, Mississippi, Louisiana, Arkansas. and Michigan. Pennsylvania had two

delegations in the convention, and Illinois, Tennessee, South Carolina, and Alabama had none. The vote of Tennessee was, however, cast by a Tennessean who lived in Baltimore. This man was discovered and brought in for the purpose of giving Colonel Johnson the requisite two-thirds vote.

It was decided that the vote of each State should be the same as the electoral vote in the Presidential elections. The two delegations from Pennsylvania were both admitted, although each declared the other to be bogus and not to represent the genuine Democracy of the State.

A committee consisting of one member from each State was appointed to draft rules. Six vice-presidents were designated, and four secretaries, and the rules of the National House of Representatives were adopted for the government of the convention. The convention then adjourned to meet in the First Presbyterian Church.

Resolutions were now offered by Mr. Saunders, of North Carolina, member of the committee on rules :—

1st. That a majority of the delegates from each State should choose the person to cast the vote of the State in the convention.

2d. That each State should have the same vote in deciding the nominations as the State had electoral votes, and that two-thirds of the whole number of votes cast in the convention should be required to nominate.

This was simply a reiteration of the principle of the first convention four years previously, one



which has mainly held to the Democratic nominations ever since. The proposition was not, however, received without opposition at this time, nor has it at any time subsequently been wholly satisfactory to the party. After some discussion the proposed rule went to a vote, and was adopted by a very small majority, 231 against 210.

Mr. Saunders now remarked that the rule could be changed to a mere majority, if a majority of the delegates would so decide. Although this two-thirds rule became a practice in the party, it was believed by many members of that convention and others to have had a doubtful and sinister origin. That is, that although it was announced four years before, it was now brought forward to trick Colonel Johnson out of the nomination.

On the 21st, Illinois sent her vote by letter for Van Buren and Richard M. Johnson; but the letter was laid on the table, and that State was left out of the count. On the first ballot all the votes of all States present, 265, were cast for Van Buren.

The vote for Vice-President was then taken, resulting in 178 for R. M. Johnson; 87 for Wm. C. Rives, Maine, Maryland, Virginia, North Carolina, Georgia, and New Jersey giving him all their votes, and Massachusetts giving him ten of her fourteen. All the delegations, except one, then agreed to support Mr. Johnson. A delegate from Virginia read a resolution declaring that his State had no confidence in Colonel Johnson's principles and character, and would not support him. He stated further that the

delegates from his State came to the convention to support principles, not men, and that they had wandered as far as possible from their purpose in giving their support to Mr. Van Buren.

The unanimity on Van Buren had, indeed, been more from necessity than sentiment; but his nomination was to a great extent satisfactory. The office-holders in the convention cried "good," and the office-seekers replied "amen."

Still the convention was not very harmonious. Allen, of Maine, and others had fought hard for the majority rule, and this matter was discussed with much bitterness. An address to the country was drawn up, and the convention adjourned.

The following letters are of importance:—

"MAY 23, 1835.

"SIR,—A convention of Republican delegates from various parts of the Union, for the purpose of selecting suitable candidates for the offices of President and Vice-President, assembled in Baltimore on the 20th instant, and unanimously agreed to present to their country, your name for that of President of the United States. We have been requested to communicate to you this nomination, and ask your acceptance of the same. We take pleasure in performing this duty, and respectfully solicit an answer at such time as may suit your convenience to give one.

"With sentiments of high esteem and respect, we have the honor to be, your obedient servants,

A. STEVENSON, President.

JAS. FENNER,                      R. STRANGE,

UPTON S. HEATH,      J. B. NEVITT,

EDWARD CONDUCT,      FRANKLIN CANNON,

Vice-Presidents of the National Convention.

"TO MARTIN VAN BUREN, ESQ., of New York."

“WASHINGTON, May 29, 1835.

“GENTLEMEN,—I have the honor to acknowledge the receipt of your letter of the 23d instant. The nomination you have been deputed to announce to me, presents the only contingency, upon the occurrence of which, I could consent to become a candidate for the high office of President of the United States. When my name was first associated with the question of General Jackson’s successor, more through the ill-will of opponents than the partiality of friends, I determined to wait for the development of the views of the Republicans of the Union, and to pursue that course only which their unbiased judgment should finally recommend. I deemed that course to be due to the Administration, of which I was a member—to the best interests of the country—and to the indivisibility of a political party, by the original organization of which the overthrow of republican principles in the United States was prevented, and upon the ascendancy of which we can alone depend for their preservation. To the offers of support which were at that period occasionally made to me from different quarters of the Union, I respectfully replied that the public good, in my opinion, required the services of General Jackson for a second term; that the agitation of the question of his successor, at that early period, must of necessity embarrass the Administration; and that it was my desire that my name should not be connected with the subject. From that time to the present, I have neither solicited the aid nor sought the support of any man in reference to the high office for which I have been nominated; unless my replies to interrogatories from my fellow-citizens upon public questions, and my sincere endeavors to make myself worthy of the respect and confidence of the American people, are liable to that construction. For the truth of this declaration, I can safely appeal to the hundreds of honorable men who composed the recent convention; to the numerous editors and politicians throughout the Union,

who have distinguished me by their preference, and to my private correspondents and intimate friends, not excepting the considerable number of persons, once my friends and associates, whom the fluctuations of political life have converted into opponents. In none of these classes, or in any other of our community, is there a man who can truly say that I have solicited his political support, or that I have entered or sought to enter with him into any arrangement to bring about the nomination which I have now received, or to secure my elevation to the Chief Magistracy of my country.

“The liberal men of all parties, I trust, and you and those you represent, I am sure, will pardon me for having thus spoken of my own conduct in reference to a point upon which I have been the silent object of attack, as causeless as it has been violent and unremitted; especially as I alone can answer for it in relation to all my countrymen, although thousands may be ready to answer in relation to themselves.

“Under these circumstances, the Democracy of the Nation, in convention assembled, having, as you inform me, with a degree of unanimity that I can not too highly appreciate, pronounced me worthy of so great a trust, I can not hesitate in making their wishes the rule of my conduct. I do, therefore, with a deep, and, I hope, abiding sense of the honor conferred upon me by their preference, accept the nomination which has been tendered to me by the convention.

“I am not aware that there is any point of interest in the general policy of the Federal Government, in respect to which my opinions have not been made known by my official acts, by my own public avowals, and by the authorized explanations of my friends. If there be any such, however, you may rest assured of my ready disposition to comply, on all suitable occasions, with the wishes of my fellow-citizens in this regard. I content myself, on this

occasion, with saying, that I consider myself the honored instrument, selected by the friends of the present Administration, to carry out its principles and policy ; and that, as well from inclination as from duty, I shall, if honored with the choice of the American people, endeavor to tread generally in the footsteps of President Jackson—happy if I shall be able to perfect the work which he has so gloriously begun.

“ It can not be denied that there is no country in the world whose inhabitants are so well secured in their civil and religious rights, and enjoy so large a share of prosperity and happiness, as the people of the United States. For this they are indebted less to salubrity of climate and fertility of soil than to our excellent system of Government ; by which, more than any other, every man is protected in the application of his powers and faculties to his own benefit. That dissatisfaction should, nevertheless, occasionally arise, even under the best administration of a system capable of producing such happy results, is not to be wondered at. Until the wit of man shall be able to devise some plan of representative government by which all who think themselves qualified may be, at the same time, admitted to a participation in the administration of its affairs, we must not expect to be relieved from the spirit of complaint, or even surprised to find it most vehement at a period of the greatest prosperity. But between partisan complaints as to the management of our Government, or even diversities of opinion in relation to the wisdom of supposed improvements in the details of its construction, and a desire to undermine and overthrow it, there is an immeasurable difference. Whilst the one can, at worst, but produce partial and temporary obstructions in the public service, success in the other would inevitably plunge our country, from its present lofty eminence, into an abyss of anarchy and ruin.

“ We hold an immense stake for the weal or woe of man-

kind, to the importance of which we should not be insensible. The intense interest manifested abroad in every movement here, that threatens the stability of our system, shows the deep conviction which pervades the world, that upon its fate depends the cause of republican government. The advocates of monarchical systems have not been slow in perceiving danger to such institutions in the permanency of our Constitution, nor backward in seizing upon every passing event by which their predictions of its speedy destruction could be in any degree justified. Thus far, they have been disappointed in their anticipations, and the circumstances by which they were encouraged, however alarming at the time, have in the end only tended to show forth the depth of that devotion to the Union, which is yet, thank God! the master passion of the American bosom.

“Thoroughly convinced that the overthrow of our present Constitution, and the consequent destruction of the Confederacy which it binds together, would be the greatest sacrifice of human happiness and hopes that has ever been made at the shrine of personal ambition, I do not hesitate to promise you that every effort in my power, whether in public or private life, shall be made for their preservation. The father of his country, foreseeing this danger, warned us to cherish the Union as the palladium of our safety; and the great exemplar of our political faith, Thomas Jefferson, has taught us, that to preserve that common sympathy between the States, out of which the Union sprang, and which constitutes its surest foundation, we should exercise the powers which of right belong to the General Government, in a spirit of moderation and brotherly love, and religiously abstain from the assumption of such as have not been delegated by the Constitution.

“Accept, gentlemen, my thanks, for the kind manner in which you have performed the duty assigned to you, and believe me to be, very sincerely, your friend and obedient servant,

M. VAN BUREN.



Some of the Southern and Western States had made an effort to bring out Thomas H. Benton as the Democratic candidate for the Vice-Presidency, but this did not meet Mr. Benton's views, nor was it in accordance with the programme of the party leaders. Mr. Benton's reply to the Mississippi State Convention contains his reasons for desiring the election of Mr. Van Buren, but it must be borne in mind that Mr. Benton was one of the most thoroughly drilled and scrupulous partisans of his time.

The Democrats, or Democratic Republicans, as they were sometimes called, in the South were by no means unanimous as to the nomination of Mr. Van Buren, notwithstanding this early action of Mississippi. Many of them showed a strong disposition, from the first, to have Hugh Lawson White, of Tennessee, succeed General Jackson. Mr. White was himself of the impression that he should be the successor of General Jackson. This desire on his part is said to have influenced him in stubbornly declining a place in Jackson's Cabinet, as he believed erroneously, but on the General's statement, that he would never be in favor of any member of his Cabinet for the Presidency. He had been a warm supporter of Jackson, and to few men, in fact, was General Jackson more indebted than to Judge White, but he never selected him for his successor, nor, perhaps, seriously thought of such thing.

The nomination of Mr. Van Buren was not satisfactory to the friends of Judge White, and in

the winter of 1835 the Legislature of Alabama nominated him for the Presidency, as did the people of Jackson's own State, who would not support his favorite. John Tyler, of Virginia, was nominated for the Vice-Presidency with Mr. White.

The Whigs, or National Republicans, held no general convention for nominating candidates. Still in this year they had a State convention at Harrisburg, Pennsylvania, in which General William H. Harrison, of Ohio, was nominated for the Presidency, and Francis Granger for Vice-President. And New York, Maryland, Ohio, and several other States followed their lead.

Daniel Webster divided the Whig vote with General Harrison, and North Carolina had a Whig Presidential candidate of her own. So the Whigs were out of joint and inharmonious, and Mr. Van Buren's election seemed to be a matter of course. Yet there was no great degree of certainty about the extent of White's vote in the South, in spite of General Jackson's influence. But the Whigs were very inactive, especially in the Eastern States.

The campaign was comparatively quiet and without much hurra in the greater part of the country. But the outcome greatly surprised both parties, and filled the Whigs with hopes and schemes for the future. Mr. Van Buren's majority was unexpectedly small, and Colonel Johnson actually failed to get the requisite number of electoral votes. The Whigs believed they sniffed success for them four years on, and, although many of the leaders had seen little in

General Harrison, yet they now began to suspect there were in him some popular elements which they had not taken into account. The division of the great popular vote which threw the choice of Vice-President into the House of Representatives dazzled them, and started additional hopes for the future.

It now began to be believed strongly that the principles of the new or Jackson Democracy had not become ineradicable among the people. For eight years or more Mr. Clay, Mr. Webster, and many other able men had set forth the principles of the Whigs and held them up in comparison to the disadvantage of those of the so-called *Jackson dynasty*. There were at this time, too, a great many Whig newspapers edited with extraordinary ability, which had rung the simple themes and principles of the opposition from one end of the land to the other. The result of the election exhibited the tendencies of the times, and the growing demand for a test of the new principles and pretensions. The Whigs began to cry for a change in the Administration, and the demand became popular.

On the 4th of February, 1837, the Senate took up the report of the committee on the mode of counting the votes for President and Vice-President of the United States.

Michigan had voted on the Presidential election, but had not yet been admitted as a State, although she had formed her State government. The matter was left as a kind of open question as to the value

of the vote of Michigan after a long discussion, by agreeing to the formula, that were the votes of Michigan counted the result would be so and so; and were they not counted the result would be so and so; and in either case the election would not be affected by the votes of that State.

The 8th of February was set aside as the day for the counting of the votes. After some preliminary arrangements in the House, such as the suspension of the rule to admit women to the floor of the Hall during the process of counting the votes, and sending a clerk to notify the Senate that the House was ready to proceed to count the votes, the members of the Senate entered, the president of that body, William R. King, taking his seat on the right of the Speaker of the House.

The president of the Senate then proceeded to open the votes from each State, beginning with Maine. The tellers (one for the Senate, Felix Grundy; two for the House, Francis Thomas and Levi Lincoln) then counted the votes and announced them in order, with the qualifications of the electors from each State. Mr. King then announced the result as follows:—

FOR PRESIDENT OF THE UNITED STATES.

Martin Van Buren,	. . . . .	170 votes.
If Michigan be not counted,	. . . . .	167 “
William H. Harrison,	. . . . .	77 “
Hugh L. White,	. . . . .	26 “
Daniel Webster,	. . . . .	14 “
W. P. Mangum,	. . . . .	11 “

The votes for Vice-President were counted in the same way, but there not being a majority of all the electoral votes for any candidate, the Senate withdrew to its own chamber and the House adjourned.

The electoral vote for President and Vice-President was as follows, by States :—

Number of electors appointed in each State...	STATES.	PRESIDENT.					VICE-PRESIDENT.			
		Martin Van Buren.	Daniel Webster...	Wm. H. Harrison...	Wilhe P. Mangum...	Hugh L. White....	Rich'd. M. Johnson	François Granger....	John Tyler.....	William Smith.....
10	Maine, . . . . .	10	.....	.....	.....	.....	10	.....	.....	.....
7	New Hampshire, . . . . .	7	.....	.....	.....	.....	7	.....	.....	.....
14	Massachusetts, . . . . .	.....	14	.....	.....	.....	.....	14	.....	.....
4	Rhode Island . . . . .	4	.....	.....	.....	.....	4	.....	.....	.....
8	Connecticut, . . . . .	8	.....	.....	.....	.....	8	.....	.....	.....
7	Vermont, . . . . .	.....	.....	7	.....	.....	.....	7	.....	.....
42	New York, . . . . .	42	.....	.....	.....	.....	42	.....	.....	.....
8	New Jersey, . . . . .	.....	.....	8	.....	.....	.....	8	.....	.....
30	Pennsylvania, . . . . .	30	.....	.....	.....	.....	30	.....	.....	.....
3	Delaware, . . . . .	.....	.....	3	.....	.....	.....	3	.....	.....
10	Maryland, . . . . .	.....	.....	10	.....	.....	.....	.....	11	.....
23	Virginia, . . . . .	23	.....	.....	.....	.....	.....	.....	.....	23
15	North Carolina, . . . . .	15	.....	.....	.....	.....	15	.....	.....	.....
11	South Carolina, . . . . .	.....	.....	.....	11	.....	.....	.....	11	.....
11	Georgia, . . . . .	.....	.....	.....	.....	11	.....	.....	11	.....
15	Kentucky, . . . . .	.....	.....	15	.....	.....	.....	15	.....	.....
15	Tennessee, . . . . .	.....	.....	.....	.....	15	.....	.....	15	.....
21	Ohio, . . . . .	.....	.....	21	.....	.....	.....	21	.....	.....
5	Louisiana, . . . . .	5	.....	.....	.....	.....	5	.....	.....	.....
4	Mississippi, . . . . .	4	.....	.....	.....	.....	4	.....	.....	.....
9	Indiana, . . . . .	.....	.....	9	.....	.....	.....	9	.....	.....
5	Illinois, . . . . .	5	.....	.....	.....	.....	5	.....	.....	.....
7	Alabama, . . . . .	7	.....	.....	.....	.....	7	.....	.....	.....
4	Missouri, . . . . .	4	.....	.....	.....	.....	4	.....	.....	.....
3	Arkansas, . . . . .	3	.....	.....	.....	.....	3	.....	.....	.....
3	Michigan, . . . . .	3	.....	.....	.....	.....	3	.....	.....	.....
294	Whole number of electors were the votes of Michigan counted.	170	14	73	11	26	147	77	48	23

The Senate then proceeded, according to the Constitution; to ballot for Vice-President from the two receiving the highest electoral votes, Mr. Johnson being chosen on the first ballot.

The following description of the inauguration of Mr. Van Buren is from the pen of Edwin Williams, who wrote impartially of many Administrations, and saw with his own eyes much that he wrote :—

“The inauguration of Martin Van Buren, as the eighth President of the United States, took place at the Capitol, in the city of Washington, on Saturday, the 4th of March, 1837. At twelve o’clock on that day, the weather being remarkably pleasant, the President elect took his seat with his venerable predecessor, General Jackson, in a beautiful phaeton made from the wood of the frigate *Constitution*, and presented to General Jackson by the Democracy of the city of New York. They were escorted from the President’s house to the Capitol, through Pennsylvania Avenue, by a body of cavalry and infantry, and were also accompanied by an immense concourse of citizens. After reaching the Senate chamber the procession was formed, and Mr. Van Buren, attended by the Ex-President, the members of the Senate, of the Cabinet, and of the diplomatic corps, led the way to the rostrum erected on the ascent to the eastern portico. He then delivered his inaugural address, in clear and impressive tones, and in an easy and eloquent manner. At the close of the address, the oath of office was administered by Chief Justice Taney.”

N. P. Willis, after looking at the exciting scene, gave this account of it :—

“The Republican procession, consisting of the Presidents and their families, escorted by a small volunteer corps, arrived soon after twelve. The General and Mr.



Van Buren were in the 'Constitution phaeton,' drawn by four grays, and as it entered the gate, they both rode uncovered. Descending from the carriage at the foot of the steps, a passage was made for them through the dense crowd, and the tall white head of the old Chieftain, still uncovered, went steadily up through the agitated mass, marked by its peculiarity from all around it. . . . The crowd of diplomatists and Senators in the rear of the columns made way, and the Ex-President and Mr. Van Buren advanced with uncovered heads. A murmur of feeling rose up from the moving mass below, and the infirm old man, emerged from a sick-chamber, which his physician had thought it impossible he should leave, bowed to the people, and, still uncovered in the cold air, took his seat beneath the portico. Mr. Van Buren then advanced, and with a voice remarkably distinct, and with great dignity, read his address to the people. The air was elastic, and the day still; and it is supposed that near twenty thousand persons heard him from his elevated position distinctly. I stood myself on the outer limit of the crowd, and although I lost occasionally a sentence from the interruption near by, his words came clearly articulated to my ear."

One of the most thoroughly dissatisfied men with the election of Mr. Van Buren was Horace Greeley. Sometime after that event he put on record this view of the case:—

"Mr. Van Buren's election to the Presidency always seemed to me anomalous, and I am not yet fully reconciled to it. He had none of that personal magnetism which made General Jackson and Mr. Clay respectively the idols of their contending parties. He was not even an orator, was far inferior to Silas Wright as a debater, and to William L. Marcy in executive ability. I believe

his strength lay in his suavity. He was the reconciler of the estranged, the harmonizer of those who were at feud among his fellow-partisans. An adroit and subtle, rather than a great man, I judge that he owed his election, first to the Vice-Presidency, then to the Presidency, to the personal favor and imperious will of Andrew Jackson, with whom 'Love me, love my dog,' was an iron rule. Had there been no Jackson, Van Buren would never have attained the highest office in the gift of his countrymen."

## CHAPTER XIII.

EIGHTH ADMINISTRATION BEGINS—THE INAUGURAL ADDRESS—THE NEW PRESIDENT GOES IN THE FOOTSTEPS OF HIS PREDECESSOR.

## MR. VAN BUREN'S INAUGURAL ADDRESS.

*March 4, 1837.*

FELLOW-CITIZENS,—The practice of all my predecessors imposes on me an obligation I cheerfully fulfill, to accompany the first and solemn act of my public trust with an avowal of the principles that will guide me in performing it, and an expression of my feelings on assuming a charge so responsible and vast. In imitating their example, I tread in the footsteps of illustrious men, whose superiors it is our happiness to believe are not found on the executive calendar of any country. Among them we recognize the earliest and firmest pillars of the Republic; those by whom our national independence was first declared; him who, above all others, contributed to establish it on the field of battle; and those whose expanded intellect and patriotism constructed, improved, and perfected the inestimable institutions under which we live. If such men, in the position I now occupy, felt themselves overwhelmed by a sense of gratitude for this, the highest of all marks of their country's confidence, and by a consciousness of their inability adequately to discharge the duties of an office so difficult and exalted, how much more must these considerations affect one who can rely on no such claims for favor or forbearance! Unlike all who have preceded me, the revolution that gave us existence as one people was achieved at the period of my birth; and while I contemplate with grateful reverence that memorable event, I feel that I belong to a later age, and that I may

not expect my countrymen to weigh my actions with the same kind and impartial hand.

So sensibly, fellow-citizens, do these circumstances press themselves upon me, that I should not dare to enter upon my path of duty, did I not look for the generous aid of those who will be associated with me in the various and co-ordinate branches of the Government; did I not repose with unwavering reliance on the patriotism; the intelligence, and the kindness of a people who never yet deserted a public servant honestly laboring in their cause; and, above all, did I not permit myself humbly to hope for the sustaining support of an ever-watchful and beneficent Providence.

To the confidence and consolation derived from these sources, it would be ungrateful not to add those which spring from our present fortunate condition. Though not altogether exempt from embarrassments that disturb our tranquillity at home and threaten it abroad, yet, in all the attributes of a great, happy, and flourishing people, we stand without a parallel in the world. Abroad, we enjoy the respect, and, with scarcely an exception, the friendship of every nation; at home, while our Government quietly but efficiently performs the sole legitimate end of political institutions, in doing the greatest good to the greatest number, we present an aggregate of human prosperity surely not elsewhere to be found.

How imperious, then, is the obligation imposed upon every citizen in his own sphere of action, whether limited or extended, to exert himself in perpetuating a condition of things so singularly happy! All the lessons of history and experience must be lost upon us, if we are content to trust alone to the peculiar advantages we happen to possess. Position and climate, and the bounteous resources that nature has scattered with so liberal a hand—even the diffused intelligence and elevated character of our people—will avail us nothing if we fail sacredly to uphold those political institutions that were wisely and deliberately formed, with reference to every circumstance that could preserve, or might endanger, the blessings we enjoy. The thoughtful framers of our Constitution legislated for our country as they found it. Looking upon it with the eyes of statesmen and of patriots, they saw all the sources of rapid and

wonderful prosperity; but they saw also that various habits, opinions, and institutions, peculiar to the various portions of so vast a region were deeply fixed. Distinct sovereignties were in actual existence, whose cordial union was essential to the welfare and happiness of all. Between many of them there was, at least to some extent, a real diversity of interests, liable to be exaggerated through sinister designs; they differed in size, in population, in wealth, and in actual and prospective resources and power; they varied in the character of their industry and staple productions; and in some existed domestic institutions, which, unwisely disturbed, might endanger the harmony of the whole. Most carefully were all these circumstances weighed, and the foundations of the new Government laid upon principles of reciprocal concession and equitable compromise. The jealousies which the smaller States might entertain of the power of the rest, were allayed by a rule of representation confessedly unequal at the time, and designed for ever to remain so. A natural fear that the broad scope of general legislation might bear upon and unwisely control particular interests, was counteracted by limits strictly drawn around the action of the Federal authority; and to the people and the States was left unimpaired their sovereign power over the innumerable subjects embraced in the internal government of a just republic, excepting such only as necessarily appertain to the concerns of the whole confederacy, or its intercourse, as a united community, with the other nations of the world.

This provident forecast has been verified by time. Half a century, teeming with extraordinary events, and elsewhere producing astonishing results, has passed along; but on our institutions it has left no injurious mark. From a small community we have arisen to a people powerful in numbers and in strength; but, with our increase, has gone hand in hand the progress of just principles; the privileges, civil and religious, of the humblest individual are sacredly protected at home; and while the valor and fortitude of our people have removed far from us the slightest apprehension of foreign power, they have not yet induced us, in a single instance, to forget what is right. Our commerce has been extended to the remotest nations; the value and even nature of the productions have been greatly

changed ; a wide difference has arisen in the relative wealth and resources of every portion of our country ; yet the spirit of mutual regard and of faithful adherence to existing compacts, has continued to prevail in our councils, and never long been absent from our conduct. We have learned by experience a fruitful lesson ; that an implicit and undeviating adherence to the principles on which we set out can carry us prosperously onward through all the conflicts of circumstances, and the vicissitudes inseparable from the lapse of years.

The success that has thus attended our great experiment is, in itself, sufficient cause for gratitude, on account of the happiness it has actually conferred, and the example it has unanswerably given. But to me, my fellow-citizens, looking forward to the far-distant future, with ardent prayers and confiding hopes, this retrospect presents a ground for still deeper delight. It impresses on my mind a firm belief that the perpetuity of our institutions depends upon ourselves ; that, if we maintain the principles on which they were established, they are destined to confer their benefits on countless generations yet to come ; and that America will present to every friend of mankind the cheering proof, that a popular government, wisely formed, is wanting in no element of endurance or strength. Fifty years ago, its rapid failure was boldly predicted. Latent and uncontrollable causes of dissolution were supposed to exist, even by the wise and good ; and not only did unfriendly or speculative theorists anticipate for us the fate of past republics, but the fear of many an honest patriot overbalanced his sanguine hopes. Look back on these forebodings, not hastily, but reluctantly made, and see how, in every instance, they have completely failed.

An imperfect experience, during the struggles of the Revolution, was supposed to warrant a belief that the people would not bear the taxation requisite to the discharge of an immense public debt already incurred, and to defray the necessary expenses of the Government. The cost of two wars has been paid, not only without a murmur, but with unequalled alacrity. No one is now left to doubt that every burden will be cheerfully borne that may be necessary to sustain our civil institutions, or guard our honor or our welfare. Indeed, all



experience has shown that the willingness of the people to contribute to these ends, in cases of emergency, has uniformly outrun the confidence of their representatives.

In the early stages of the new Government, when all felt the imposing influence, as they recognized the unequalled services of the first President, it was a common sentiment that the great weight of his character could alone bind the discordant materials of our Government together, and save us from the violence of contending factions. Since his death, nearly forty years are gone, party exasperation has been often carried to its highest point; the virtue and fortitude of the people have sometimes been greatly tried; yet our system, purified and enhanced in value by all it has encountered, still preserves its spirit of free and fearless discussion, blended with unimpaired fraternal feeling.

The capacity of the people for self-government, and their willingness, from a high sense of duty, and without those exhibitions of coercive power so generally employed in other countries, to submit to all needful restraints and exactions of the municipal law, have also been favorably exemplified in the history of the American States. Occasionally, it is true, the ardor of public sentiment, outrunning the regular progress of the judicial tribunals, or seeking to reach cases not denounced as criminal by the existing law, has displayed itself in a manner calculated to give pain to the friends of free government, and to encourage the hopes of those who wish for its overthrow. These occurrences, however, have been far less frequent in our country than any other of equal population on the globe; and with the diffusion of intelligence, it may well be hoped that they will constantly diminish in frequency and violence. The generous patriotism and sound common sense of the great mass of our fellow-citizens will assuredly, in time, produce this result; for as every assumption of illegal power not only wounds the majesty of the law, but furnishes a pretext for abridging the liberties of the people, the latter have the most direct and permanent interests in preserving the great landmarks of social order, and maintaining, on all occasions, the inviolability of those Constitutional and legal provisions which they themselves have made.

In a supposed unfitness of our institutions for those hostile emergencies which no country can always avoid, their friends found a fruitful source of apprehension, their enemies of hope. While they foresaw less promptness of action than in governments differently formed, they overlooked the far more important consideration, that, with us, war could never be the result of individual or irresponsible will, but must be a measure of redress for injuries sustained, voluntarily resorted to by those who were to bear the necessary sacrifice; who would consequently feel an individual interest in the contest, and whose energy would be commensurate with the difficulties to be encountered. Actual events have proved their error; the last war, far from impairing, gave new confidence to our Government; and amid recent apprehensions of a similar conflict, we saw that the energies of our country would not be wanting in ample season to vindicate its rights. We may not possess, as we should not desire to possess, the extended and ever ready military organization of other nations; we may occasionally suffer in the outset for the want of it, but, among ourselves, all doubt upon this great point has ceased, while a salutary experience will prevent a contrary opinion from inviting aggression from abroad.

Certain danger was foretold from the extension of our territory, the multiplication of States, and the increase of population. Our system was supposed to be adapted only to boundaries comparatively narrow. These have been widened beyond conjecture; the members of our confederacy are already doubled; and the numbers of our people are incredibly augmented.

The alleged causes of danger have long surpassed anticipation, but none of the consequences have followed. The power and influence of the Republic have risen to a height obvious to all mankind; respect for its authority was not more apparent at its ancient than it is at its present limits; new and inexhaustible sources of general prosperity have been opened; and affects of distance have been averted by the inventive genius of our people, developed and fostered by the spirit of our institutions; and the enlarged variety and amount of interests, productions, and pursuits, have strengthened the chain of mutual dependence,

and formed a circle of mutual benefits, too apparent ever to be overlooked.

In justly balancing the powers of the Federal and State authorities, difficulties nearly insurmountable arose at the outset, and subsequent collisions were deemed inevitable. Amid these, it was scarcely believed possible that a scheme of Government, so complex in construction, could remain uninjured. From time to time embarrassments have certainly occurred; but how just is the confidence of future safety imparted by the knowledge that each in succession has been happily removed! Overlooking partial and temporary evils as inseparable from the practical operation of all human institutions, and looking only to the general result, every patriot has reason to be satisfied. While the Federal Government has successfully performed its appropriate functions in relation to foreign affairs, and concerns evidently national, that of every State has remarkably improved in protecting and developing local interests and individual welfare; and if the vibrations of authority have occasionally tended too much toward one or the other, it is unquestionably certain that the ultimate operation of the entire system has been to strengthen all the existing institutions, and to elevate our whole country in prosperity and renown.

The last, perhaps the greatest, of the prominent sources of discord and disaster supposed to lurk in our political condition, was the institution of domestic slavery. Our forefathers were deeply impressed with the delicacy of this subject, and they treated it with a forbearance so evidently wise, that, in spite of every sinister foreboding, it never, until the present period, disturbed the tranquillity of our common country. Such a result is sufficient evidence of the justice and the patriotism of their course; it is evidence not to be mistaken, that an adherence to it can prevent all embarrassment from this, as well as every other anticipated cause of difficulty or danger. Have not recent events made it obvious to the slightest reflection, that the least deviation from this spirit of forbearance is injurious to every interest, that of humanity included?

Amid the violence of excited passions, this generous and fraternal feeling has been sometimes disregarded; and standing

as I now do before my countrymen, in this high place of honor and trust, I can not refrain from anxiously invoking my fellow-citizens never to be deaf to its dictates. Perceiving, before my election, the deep interest this subject was beginning to excite, I believed it a solemn duty fully to make known my sentiments in regard to it; and now, when every motive for misrepresentation has passed away, I trust that they will be candidly weighed and understood. At least they will be my standard of conduct in the path before me. I then declared that, if the desire of those of my countrymen who were favorable to my election was gratified, "I must go into the Presidential Chair the inflexible and uncompromising opponent of every attempt on the part of Congress to abolish slavery in the District of Columbia, against the wishes of the slaveholding States; and also with a determination equally decided to resist the slightest interference with it in the States where it exists." I submitted also to my fellow-citizens, with fullness and frankness, the reasons which led me to this determination. The result authorizes me to believe that they have been approved, and are confided in by a majority of the people of the United States, including those whom they most immediately affect. It now only remains to add, that no bill conflicting with these views can ever receive my Constitutional sanction. These opinions have been adopted in the firm belief that they are in accordance with the spirit that actuated the venerated fathers of the Republic, and that succeeding experience has proved them to be humane, patriotic, expedient, honorable, and just. If the agitation of this subject was intended to reach the stability of our institutions, enough has occurred to show that it has signally failed; and that in this, as in every other instance, the apprehensions of the timid and the hopes of the wicked for the destruction of our Government are again destined to be disappointed. Here and there, indeed, scenes of dangerous excitement have occurred; terrifying instances of local violence have been witnessed; and a reckless disregard of the consequences of their conduct has exposed individuals to popular indignation; but neither masses of the people nor sections of the country have been swerved from their devotion to the bond of union, and the principles it has made sacred.

It will ever be thus. Such attempts at dangerous agitation may periodically return, but, with each, the object will be better understood. That predominating affection for our political system which prevails throughout our territorial limits, that calm and enlightened judgment which ultimately governs our people as one vast body, will always be at hand to resist and control every effort, foreign or domestic, which aims or would lead to overthrow our institutions.

What can be more gratifying than such a retrospect as this? We look back on obstacles avoided, and dangers overcome; on expectations more than realized, and prosperity perfectly secured. To the hopes of the hostile, the fears of the timid, and the doubts of the anxious, actual experience has given the conclusive reply. We have seen time gradually dispel every unfavorable foreboding, and our Constitution surmount every adverse circumstance, dreaded at the outset as beyond control. Present excitement will, at all times, magnify present dangers; but true philosophy must teach us that none more threatening than the past can remain to be overcome; and we ought, for we have just reason, to entertain an abiding confidence in the stability of our institutions, and an entire conviction that, if administered in the true form, character, and spirit in which they were established, they are abundantly adequate to preserve to us and our children the rich blessings already derived from them; to make our beloved land, for a thousand generations, that chosen spot where happiness springs from a perfect equality of political rights.

For myself, therefore, I desire to declare, that the principle that will govern me in the high duty to which my country calls me, is a strict adherence to the letter and spirit of the Constitution, as it was designed by those who framed it. Looking back to it as a sacred instrument, carefully and not easily framed; remembering that it was throughout a work of concession and compromise; viewing it as limited to national objects; regarding it as leaving to the people and the States all power not explicitly parted with, I shall endeavor to preserve, protect, and defend it, by anxiously referring to its provisions for direction in every action. To matters of domestic concernment which it has intrusted to the Federal



Government, and to such as relate to our intercourse with foreign nations, I shall zealously devote myself; beyond those limits I shall never pass.

To enter, on this occasion, into a further or more minute exposition of my views on the various questions of domestic policy, would be as obtrusive as it is probably unexpected. Before the suffrages of my countrymen were conferred upon me, I submitted to them, with great precision, my opinions on all the most prominent of these subjects. Those opinions I shall endeavor to carry out with the utmost ability.

Our course of foreign policy has been so uniform and intelligible, as to constitute a rule of Executive conduct which leaves little to my discretion, unless, indeed, I were willing to run counter to the lights of experience, and the known opinions of my constituents. We sedulously cultivate the friendship of all nations, as the condition most compatible with our welfare and the principles of our Government. We decline alliance, as adverse to our peace. We desire commercial relations on equal terms, being ever willing to give a fair equivalent for advantages received. We endeavor to conduct our intercourse with openness and sincerity; promptly avowing our objects, and seeking to establish that mutual frankness which is as beneficial in the dealings of nations as of men. We have no disposition, and we disclaim all right, to meddle in disputes, whether internal or foreign, that may molest other countries; regarding them in their actual state, as social communities, and preserving a strict neutrality in all their controversies. Well knowing the tried valor of our people, and our exhaustless resources, we neither anticipate nor fear any designed aggression; and in the consciousness of our just conduct, we feel a security that we shall never be called upon to exert our determination, never to permit an invasion of our rights, without punishment or redress.

In approaching, then, in the presence of my assembled countrymen, to make the solemn promise that yet remains, and to pledge myself that I will faithfully execute the office I am about to accept, I bring with me a settled purpose to maintain the institutions of my country, which, I trust, will atone for the errors I commit.



In receiving from the people the sacred trust twice confided to my illustrious predecessor, and which he has discharged so faithfully and well, I know that I can not expect to perform the arduous task with equal ability and success. But united as I have been in his counsels, a daily witness of his exclusive and unsurpassed devotion to his country's welfare, agreeing with him in sentiments which his countrymen have warmly supported, and permitted to partake largely of his confidence, I may hope that somewhat of the same cheering approbation may be found to attend upon my path. For him, I but express, with my own, the wishes of all, that he may yet long live to enjoy the brilliant evening of his well-spent life ; and for myself, conscious of but one desire, faithfully to serve my country, I throw myself, without fear, on its justness and its kindness. Beyond that, I only look to the gracious protection of the Divine Being, whose strengthening support I humbly solicit, and whom I fervently pray to look down upon us all. May it be among the dispensations of His providence to bless our beloved country with honor and with length of days. May her ways be ways of pleasantness, and all her paths be peace !

After the inauguration ceremonies, President Van Buren and General Jackson returned to the White House, accompanied as they had been to the Capitol, where hundreds assembled to bid the retiring President good-bye, and take the hand of his successor. That night there was a ball at Carusi's, and President Van Buren and General Jackson were there, according to a fashion still in practice on these occasions, but of which nothing praiseworthy can be said. Two or three days subsequently the General set out on his long journey to Tennessee, well pleased with himself and his work, and the man into whose hands he had transferred the affairs of the Government.

Mr. Van Buren's inaugural address is a beautiful

panegyric on the establishing of this Government and its character and blessings to the people. The country was generally pleased with the address, and the party supporters fully approved its sentiments. It was, however, the hope of the opposition that his expression of a determination to follow in the footsteps of his predecessor, was more a matter of courtesy than otherwise, and that he would, to some extent, strike out in a course that would lead to the betterment of public affairs. But they were mistaken. He was only indorsing measures that he had been most prominent, in some respects, in establishing.

The only point in his address that attracted general comment was that touching slavery. So far as Congress was concerned, it was not necessary at all for him to say in advance that he would veto any bill looking to the agitation of this subject. Congress was almost unanimous in opposition to legislating on slavery. Nor did the two great parties in the country differ greatly as to the mode of dealing with this troublesome institution.

The Abolitionists, however, claimed that he had sold or given himself wholly to the South, and that the country was entirely at the mercy of the suspicious politicians of that section. This part of the inaugural address drew forth an apology from his defenders. It was maintained that while his announcement on slavery and the slavery agitation was not necessary in some respects, it was very politic, as it would do, and did do, what it was designed to

do; that is, quiet the apprehensions of the South, and allay the excitement occasioned by useless agitation.

From 1818 to 1856, from the first day this subject was ever discussed until the final overthrow of slavery, this had been the policy of parties and party leaders, to quiet, to allay public excitement. There were two sides to this general policy. When slavery was a question, the South was always solid. No Northern politician could hope to succeed in ambitious aspirations, or in any legislative scheme without a guarantee as to the effect upon the South. Slavery or anything affecting it could always be held up as an equivalent for any project. But the question of compensation of local or sectional interests was a matter of just consideration. That must be admitted. Yet no one can deny that the whole system of political bargain and compromise has been liable to corrupting excesses, and perhaps on this very point, putting off the day of slavery, was unwise. During the Revolutionary War, or from the peace in 1783 to 1800, when the interests of the country were homogeneous on this subject, to a great extent, and when the distinguished leaders of the South, as well as of the North, were favorable, as far as the matter was considered at all, to the devise of some plan for entirely freeing the country from African slavery, then this work should have been done. The two greatest of all the Republican leaders, perhaps, Jefferson and Madison, to the end of their lives would have been glad to sanction some plan of absolute

relief to the country in all time to come, in the emancipation of the slaves. And no man who ever lived in the United States would have hailed such an event with greater joy than would Washington.

Yet the day of great opportunities was allowed to pass. Timidity and the desire for harmony and peace were overpowering considerations. When it became a question of compromise, and one territory was hardly allowed to assume a State government until another territory was ready to pair with it as free or slave, the other side of this question influenced the actions of men, the desire to provide some means, if only very temporary, for present peace and tolerable harmony. If the compromise or the measure only removed the difficulty farther into the future, it was accepted with the hope and prayer that some way unseen, unknown, might be provided, might arise for the entire satisfaction and relief of the country. But was this a wise course? Had it ever been wise? At no time in the history of the country could the great conflict, the inevitable conflict, have been accompanied by more appalling conditions than when it did finally come in 1861.

Now, when we may talk and reason of this matter without fear of offense to friend or foe, without the weight of the incubus, policy, to obstruct the view, it can only be said that devotion to the great, liberal, beneficent Government, holding out the hope that the conflict would be passed safely, furnished the bare shadow of apology for deferring it so long.

The comparative ability of the slave territory was

not greater in 1860 than in 1832, or at any other period, although the early emancipationists in that quarter of the Union had passed away. There were, indeed, not wanting earnest men in 1832, who regretted, if they had regrets at all, that the great slavery and States rights issue had not come at that date. But Martin Van Buren could not go ahead of his times nor his party ; nor did he desire to do so ; nor, in fact, did his position appear much overdrawn or out of the way to the leaders of the Whig party.

## CHAPTER XIV.

THE CABINET—FINANCIAL DISTRESS—DEMANDS ON THE  
ADMINISTRATION.

MR. VAN BUREN retained the Cabinet of General Jackson. Lewis Cass, Secretary of War, had been appointed Minister to France in 1836, and his place President Van Buren filled with Joel R. Poinsett. The Cabinet then stood : Secretary of State, John Forsyth, of Georgia; Secretary of the Treasury, Levi Woodbury, of New Hampshire; Secretary of War, Joel R. Poinsett, of South Carolina; Secretary of the Navy, Mahlon Dickerson, of New Jersey; Postmaster-General, Amos Kendall, of Massachusetts; and Benjamin F. Butler, of New York, Mr. Van Buren's pupil and law partner, was Attorney-General.

The new President had scarcely taken his seat, and got his Administration organized, before a general cry of distress came up from all the country. The cause of this distress had been laid mainly at two doors, namely : What was held to be the errors and evils of General Jackson's Administration, in the first place; and Nicholas Biddle, or the Bank of the United States, and the party opposed to General Jackson, in the second place. But this United States Bank subject is a difficult and labyrinthian



one, and had not a sense of necessity or duty impelled me, I never would have explored it. The theme has long been obsolete, and the mere mention of the Bank of the United States at this day, opens to the average mind a suspicious and dreadful chasm in the confused and mysterious political past. There is no man in all the country to-day, perhaps, who mourns the fate of the Bank, or regrets that its end came when it did. At a later date its downfall would have been still more calamitous to the country. As to the method of effecting its destruction there was then, and there may still be, no little diversity of opinion, a fact which need cut a slight figure in the history of the case.

From sentiments of aversion, Vice-President Clinton had prevented the rechartering of this institution in 1811. But it continued to be the financial agent of the Government, and was finally rechartered five years later. When this charter expired in 1836, it ceased to be the Bank of the United States, although it was tenacious of life, and held on for several years as the chartered Pennsylvania Bank of the United States.

Soon after General Jackson became President, an event purely political, as has been shown elsewhere in this work, led to difficulty with the Bank, and hence in his first message to Congress there was a broad hint of his opposition to this old reliable agent of the Government. The history of General Jackson's Administration is largely a history of his struggle with this "monster."

But the General overcame, as he usually did in all things, and the Bank went down. To claim that it died tamely would be unwise, or that its resistance was unselfish or wholly patriotic. Nothing was so much to the taste of General Jackson as doing things which other men would not do, or making bold and doubtful steps which would lead to consequences that "time and tide" only could unravel. His "deposit bank" experiment proved to be a failure. Mr. Benton truthfully said:—

"The condition of our deposit banks was desperate, wholly inadequate to the slightest pressure on their vaults in the ordinary course of business, much less that of meeting the daily Government drafts and the approaching deposit of near forty millions with the States. The necessity of keeping one-third of specie on hand for its immediate liabilities, was enforced from the example and rule of the Bank of England, while many of our deposit banks could show but the one-twentieth, the one-thirtieth, the one-fortieth, and even the one-fiftieth of specie in hand for immediate liabilities in circulation and deposits."

When General Jackson was led to see that something must be done to arrest the progress of paper, called money, which had got the advantage of him and the country, there was then left but one thing he could do. The public lands were fast passing into the hands of speculators, and in their place stacks of paper money, fast depreciating, were gathering in the land offices. He proposed issuing an order that all payments for public lands should be made in gold and silver. Congress opposed such a

measure, the majority of the Cabinet opposed it, but General Jackson took the responsibility upon himself, as he had done in many cases, and soon after Congress adjourned in July, 1836, the famous "Specie Circular" was issued. During the next session of Congress, a bill having passed by a large majority to undo what he had done, which he allowed to fall to naught by returning it at the last hour of the session, March 3, 1837, the "Specie Circular" remained in force. But it was too late to do any good. Two years before it would, perhaps, have been beneficial. Now it only hastened on the calamity.

The act providing for the division of the surplus public funds among the States was a foolish piece of legislation which both parties favored, no doubt, as a stroke of party wisdom from which they both hoped to be benefited, but for which General Jackson's Administration was not responsible, although he reluctantly assented to it, while he never did believe that was the way to dispose of the public funds. This unfortunate affair also had its influence on the evils of the times. And all of it, the accumulations of eight years from every source, was the inheritance of President Van Buren. For a vast amount of it, he was in no way responsible. How far he could have prevented such a state of affairs is a question, but now he could do nothing. The case was beyond remedy, notwithstanding the cry for him to act, and the outcry against him because he did nothing. He did not believe, before his inauguration, that the

danger was imminent; at all events, he did not seem to think its extent would be so great. While yet presiding over the Senate, as late as January or February, 1837, Thomas H. Benton, who had long believed that the worst had not come, and that a great shock in the money and business interests of the country was certain, approached Mr. Van Buren with a view of laying open the whole subject, and upon the first word was driven from his purpose by Mr. Van Buren exclaiming, "Your friends think you a little exalted in the head on that subject." Mr. Benton was of the opinion that had the President listened to him on that point before beginning his Administration, he could have done something, saved a little from the wreck, at least.

About the middle of March, 1837, Mr. Webster delivered a great speech in New York City, in which he fully set forth the difficulties into which the affairs of the country had drifted. Soon after this he made other speeches mainly bearing on the money interests of the country. In these he did not spare General Jackson's Administration nor that of his successor, and, to say the least, his speeches did not have a tendency to calm the country, nor did they with any great clearness show the remedy for present evils. The true statesman attempts to provide a remedy for wrong, to restore to soundness the broken parts of his country. It is the work of the alarmist and demagogue to fret the community and cry against errors beyond redemption.

Soon after Mr. Webster's speech at New York a

great meeting of business men and others was held there. This meeting passed resolutions asking the other leading cities to co-operate with New York in appeals to the Executive and other means to arrest the evils of the times, provided for a committee of fifty to proceed to Washington to lay the whole matter before the President, and ask the calling of an extra session of Congress to devise some mode of relief. At this meeting this statement was made:—

“That the wide-spread disaster which has overtaken the commercial interests of the country, and which threatens to produce general bankruptcy, may be in a great measure ascribed to the interference of the General Government with the commercial and business operations of the country; its intermeddling with the currency; its destruction of the national bank; its attempt to substitute a metallic for a credit currency; and, finally, to the issuing by the President of the United States of the Treasury order, known as the ‘specie circular.’”

The committee of fifty from New York made a written address to Mr. Van Buren, in which is found these words:—

“We do not tell a fictitious tale of woe; we have no selfish or partisan views to sustain, when we assure you that the noble city which we represent lies prostrate in despair, its credit blighted, its industry paralyzed, and without a hope beaming through the darkness of the future, unless the Government of our country can be induced to relinquish the measures to which we attribute our distress. We fully appreciate the respect which is due to our Chief Magistrate, and disclaim every intention inconsistent with that feeling; but we speak in behalf of a community

which trembles upon the brink of ruin, which deems itself an adequate judge of all questions connected with the trade and currency of the country, and believes that the policy adopted by the recent Administration, and sustained by the present, is founded in error, and threatens the destruction of every department of industry. Under a deep impression of the propriety of confining our declarations within moderate limits, we affirm that the value of our real estate has, within the last six months, depreciated more than forty millions; that within the last two months, there have been more than two hundred and fifty failures of houses engaged in extensive business; that within the same period, a decline of twenty millions of dollars has occurred in our local stocks, including those railroad and canal incorporations, which, though chartered in other States, depend chiefly upon New York for their sale; that the immense amount of merchandise in our warehouses has within the same period fallen in value at least thirty per cent; that within a few weeks, not less than twenty thousand individuals, depending on their daily labor for their daily bread, have been discharged by their employers, because the means of retaining them were exhausted; and that a complete blight has fallen upon a community heretofore so active, enterprising, and prosperous. The error of our rulers has produced a wider desolation than the pestilence which depopulated our streets, or the conflagration, which laid them in ashes. We believe that it is unjust to attribute these evils to any excessive development of mercantile enterprise, and that they really flow from that unwise system which aimed at the substitution of a metallic for a paper currency—the system which gave the first shock to the fabric of our commercial prosperity by removing the public deposits from the United States Bank, which weakened every part of the edifice by the destruction of that useful and efficient institution, and now threatens to crumble it into a mass of ruins under the operations of the



specie circular, which withdrew the gold and silver of the country from the channels in which it could be profitably employed. We assert that the experiment has had a fair, a liberal trial, and that disappointment and mischief are visible in all its results; that the promise of a regulated currency and equalized exchanges has been broken, the currency totally disordered, and internal exchanges almost entirely discontinued. We, therefore, make our earnest appeal to the Executive, and ask whether it is not time to interpose the paternal authority of the Government, and abandon the policy which is beggaring the people."

The President heard the address, and treated the committee with much respect, and on the next day, the 4th of May, returned them his written answer, in which he declined to comply with any of their requests. Soon after returning to New York another meeting was called. At this, these resolutions were passed:—

*"Resolved*, That the interests of the capitalists, merchants, manufacturers, mechanics, and industrious classes are dependent upon each other, and any measures of the Government which prostrate the active business men of the community, will also deprive honest industry of its reward; and we call upon all our fellow-citizens to unite with us in removing from power those who persist in a system that is destroying the prosperity of our country.

*"Resolved*, That the chief causes of the existing distress are the defeat of Mr. Clay's Land Bill, the removal of the public deposits, the refusal to recharter the Bank of the United States, and the issuing of the specie circular. The Land Bill was passed by the people's Representatives, and vetoed by the President; the bill rechartering the Bank was passed by the people's Representatives, and vetoed by the President. The people's Representatives

declared by a solemn resolution, that the public deposits were safe in the United States Bank; within a few weeks thereafter, the President removed the public deposits. The people's Representatives passed a bill rescinding the specie circular; the President destroyed it by omitting to return it within the limited period; and in the answer to our addresses, President Van Buren declares that the specie circular was issued by his predecessor, omitting all notice of the Secretary of the Treasury, who is amenable directly to Congress, and charged by the act creating his Department with the superintendence of the finances, and who signed the order."

Matters went from bad to worse, and Mr. Van Buren was now held responsible for all the evils he could not avert. His refusal to recall the "special circular" was considered the gravest kind of offense, and worthy of any amount of censure. But in few things did Mr. Van Buren display superior wisdom more than in this very refusal. There could not have been the slightest remedy in such a step at that date. A few more acres of the public land would have gone into the hands of the speculators, and more worthless scrip to the credit of the Government.

On the 10th of May the New York banks suspended payment, and in rapid succession other banks, deposit and State, followed throughout the country. To prevent any riotous demonstrations on account of the bank suspensions in New York City several regiments of volunteers were added to the police force, and the newspapers largely upheld the course of the banks.

Two or three days after the suspension at New York the old Bank of the United States followed suit, and from the following statement from Mr. Biddle, it would appear that the necessity was more a matter of gratification than sorrow. At least, Mr. Biddle occupied the position in which he could say: "The financial system was good enough before; you meddled with it; I resisted, because I knew that your conduct would lead to universal ruin; now, what I always believed has come upon you."

Mr. Biddle said in his statement:—

"All the deposit banks of the Government of the United States in the city of New York suspended specie payments this week; the deposit banks elsewhere have followed their example; which was of course adopted by the State banks not connected with Government. I say of course, because it is certain that when the Government banks cease to pay specie, all the other banks must cease, and for this clear reason: The great creditor in the United States is the Government. It receives for duties the notes of the various banks, which are placed for collection in certain Government banks, and are paid to those Government banks in specie if requested. From the moment that the deposit banks of New York failed to comply with their engagements, it was manifest that all the other deposit banks must do the same; that there must be a universal suspension throughout the country, and that the Treasury itself in the midst of its nominal abundance must be practically bankrupt. . . .

"In the midst of these disorders the Bank of the United States occupies a peculiar position, and has special duties. Had it consulted merely its own strength, it would have continued its payments without reserve. But

in such a state of things the first consideration is how to escape from it, how to provide at the earliest practicable moment to change a condition which should not be tolerated beyond the necessity which commanded it. The old associates, the extensive connections, the established credit, the large capital of the Bank of the United States, rendered it the natural rallying point of the country for the resumption of specie payments. It seemed wiser, therefore, not to waste its strength in a struggle which might be doubtful while the Executive persevered in its present policy, but to husband all its resources so as to profit by the first favorable moment to take the lead in the early resumption of specie payments. Accordingly the Bank of the United States assumes that position. From this moment its efforts will be to keep itself strong, and to make itself stronger. Always prepared and always anxious to assist in recalling the currency and the exchanges of the country to the point from which they have fallen, it will co-operate cordially and zealously with the Government, with the Government banks, with all the other banks, and with any other influences which can aid in that object."

## CHAPTER XV.

CONGRESS—THE INDEPENDENT TREASURY—THE FIRST  
GREAT STEP IN THE RIGHT WAY.

AT last, greatly against his will, Mr. Van Buren yielded to the loud demand for an extra session of Congress. He had resisted as long as possible, and although it was not without the appearance of humiliation, perhaps, the step became necessary, and on the 15th of May he issued his proclamation convening Congress on the 4th of September.

James K. Polk, of Tennessee, was elected Speaker of the House by a vote of 116 to 103 for John Bell, of the same State. Immediately after the organization the President sent to Congress by his son, Abraham Van Buren, his private secretary, his

## MESSAGE—SPECIAL SESSION.

*September 4, 1837.*

FELLOW-CITIZENS OF THE SENATE AND OF THE HOUSE OF REPRESENTATIVES:—

The act of the 23d of June, 1836, regulating the deposits of the public money, and directing the employment of State, district, and territorial banks for that purpose, made it the duty of the Secretary of the Treasury to discontinue the use of such of them as should at any time refuse to redeem their notes in specie, and to substitute other banks, provided a sufficient number could be obtained to receive the public deposits upon

the terms and conditions therein prescribed. The general and almost simultaneous suspension of specie payments by the banks in May last, rendered the performance of this duty imperative in respect to those which had been selected under the act; and made it, at the same time, impracticable to employ the requisite number of others, upon the prescribed conditions. The specific regulations established by Congress for the deposit and safe-keeping of the public moneys, having thus unexpectedly become inoperative, I felt it to be my duty to afford you an early opportunity for the exercise of your supervisory powers over the subject.

I was also led to apprehend that the suspension of specie payments, increasing the embarrassments before existing in the pecuniary affairs of the country, would so far diminish the public revenue, that the accruing receipts into the Treasury would not, with the reserved five millions, be sufficient to defray the unavoidable expenses of the Government, until the usual period for the meeting of Congress; while the authority to call upon the States for a portion of the sums deposited with them was too restricted to enable the Department to realize a sufficient amount from that source. These apprehensions have been justified by subsequent results, which render it certain that this deficiency will occur, if additional means be not provided by Congress.

The difficulties experienced by the mercantile interest in meeting their engagements, induced them to apply to me, previously to the actual suspension of specie payments, for indulgence upon their bonds for duties, and all the relief authorized by law was promptly and cheerfully granted. The dependence of the Treasury upon the avails of these bonds to enable it to make the deposits with the States required by law, led me in the outset to limit this indulgence to the 1st of September, but it has since been extended to the 1st of October, that the matter might be submitted to your further direction.

Questions were also expected to arise, in the recess, in respect to the October installment of those deposits, requiring the interposition of Congress.

A provision of another act, passed about the same time, and intended to secure a faithful compliance with the obligation of the United States, to satisfy all demands upon them in specie



or its equivalent, prohibiting the offer of any bank-note, not convertible on the spot into gold or silver at the will of the holder; and the ability of the Government, with millions on deposit, to meet its engagements in the manner thus required by law, was rendered very doubtful by the event to which I have referred.

Sensible that adequate provisions for these unexpected exigencies could only be made by Congress; convinced that some of them would be indispensably necessary to the public service before the regular period of your meeting; and desirous also to enable you to exercise at the earliest moment, your full Constitutional powers for the relief of the country, I could not with propriety avoid subjecting you to the inconvenience of assembling at as early a day as the state of the popular representation would permit. I am sure that I have done but justice to your feelings, in believing that this inconvenience will be cheerfully encountered, in the hope of rendering your meeting conducive to the good of the country.

During the earlier stages of the revulsion through which we have just passed, much acrimonious discussion arose, and great diversity of opinion existed, as to its real causes. This was not surprising. The operations of credit are so diversified, and the influences which affect them so numerous, and often so subtle, that even impartial and well-informed persons are seldom found to agree in respect to them. To inherent difficulties were also added other tendencies, which were by no means favorable to the discovery of truth. It was hardly to be expected that those who disapproved of the policy of the Government in relation to the currency, would, in the excited state of public feeling produced by that occasion, fail to attribute to that policy any extensive embarrassment in the monetary affairs of the country. The matter thus became connected with the passions and conflicts of party; opinions were more or less affected by political considerations; and differences were prolonged which might otherwise have been determined by an appeal to facts, by the exercise of reason, or by mutual concession. It is, however, a cheering reflection, that circumstances of this nature can not prevent a community so intelligent as ours from ultimately arriving at correct conclusions. Encouraged by the firm belief

of this truth, I proceed to state my views, so far as may be necessary to a clear understanding of the remedies I feel it my duty to propose, and of the reasons by which I have been led to recommend them.

The history of trade in the United States, for the last three or four years, affords the most convincing evidence that our present condition is chiefly to be attributed to over-action in all the departments of business; an over-action deriving, perhaps, its first impulses from antecedent causes, but stimulated to its destructive consequences by excessive issues of bank paper, and by other facilities for the acquisition and enlargement of credit. At the commencement of the year 1834, the banking capital of the United States, including that of the National Bank, then existing, amounted to about two hundred millions of dollars; the bank-notes then in circulation to about ninety-five millions; and the loans and discounts of the banks to three hundred and twenty-four millions. Between that time and the 1st of January, 1836, being the latest period to which accurate accounts have been received, our banking capital was increased to more than two hundred and fifty-one millions; our paper circulation to more than one hundred and forty millions, and the loans and discounts to more than four hundred and fifty-seven millions. To this vast increase are to be added the many millions of credit, acquired by means of foreign loans, contracted by the States and State institutions, and, above all, by the lavish accommodations extended by foreign dealers to our merchants.

The consequences of this redundancy of credit, and of the spirit of reckless speculation engendered by it, were a foreign debt contracted by our citizens, estimated, in March last, at more than thirty millions of dollars; the extension to traders in the interior of our country of credits for supplies, greatly beyond the wants of the people; the investment of thirty-nine and a half millions of dollars in unproductive public lands, in the years 1835 and 1836, while in the preceding year the sales amounted to only four and a half millions; the creation of debts, to an almost countless amount, for real estate in existing or anticipated cities and villages, equally unproductive, and at prices now seen to have been greatly disproportionate to their real value; the expenditure of immense sums in improvements,

which in many cases have been found to be ruinously improvident ; the diversion to other pursuits of much of the labor that should have been applied to agriculture, thereby contributing to the expenditure of large sums in the importation of grain from Europe—an expenditure which amounted, in 1834, to about two hundred and fifty thousand dollars—was in the first two quarters of the present year increased to more than two millions of dollars ; and finally, without enumerating other injurious results, the rapid growth among all classes, and especially in our great commercial towns, of luxurious habits founded too often on merely fancied wealth, and detrimental alike to the industry, the resources, and the morals of the people.

It was so impossible that such a state of things could long continue, that the prospect of revulsion was present to the minds of considerate men before it actually came. None, however, had correctly anticipated its severity. A concurrence of circumstances, inadequate of themselves to produce such widespread and calamitous embarrassments, tended so greatly to aggravate them, that they can not be overlooked in considering their history. Among these may be mentioned, as most prominent, the great loss of capital sustained by our commercial emporium in the fire of December, 1835—a loss, the effects of which were underrated at the time, because postponed for a season by the great facilities of credit then existing ; the disturbing effects, in our commercial cities, of the transfers of the public moneys, required by the deposit law of June, 1836 ; and the measures adopted by the foreign creditors of our merchants, to reduce their debts, and to withdraw from the United States a large portion of our specie.

However unwilling any of our citizens may heretofore have been to assign to these causes the chief instrumentality in producing the present state of things, the developments subsequently made, and the actual condition of other commercial countries, must, as it seems to me, dispel all remaining doubts upon the subject. It has since appeared that evils similar to those suffered by ourselves, have been experienced in Great Britain, on the continent, and, indeed, throughout the commercial world ; and that in other countries, as well as our own, they have been uniformly preceded by an undue enlargement of the boundaries

of trade, prompted, as with us, by unprecedented expansion of the system of credit. A reference to the amount of banking capital, and the issues of paper credits put in circulation in Great Britain, by banks and in other ways, during the years 1835 and 1836, will show an augmentation of the paper currency there, as much disproportioned to the real wants of trade as in the United States. With this redundancy of the paper currency, there arose in that country also a spirit of adventurous speculation embracing the whole range of human enterprise. Aid was profusely given to projected improvements; large investments were made in foreign stocks and loans; credits for goods were granted with unbounded liberality to merchants in foreign countries; and all the means of acquiring and employing credit were put in active operation and extended in their effects to every department of business, and to every quarter of the globe. The reaction was proportioned in its violence to the extraordinary character of the events which preceded it. The commercial communities of Great Britain were subjected to the greatest difficulties, and their debtors in this country were not only suddenly deprived of accustomed and expected credits, but called upon for payments which, in the actual posture of things here, could only be made through a general pressure and at the most ruinous sacrifices.

In view of these facts, it would seem impossible for inquirers after truth to resist the conviction, that the causes of the revulsion in both countries have been substantially the same. Two nations, the most commercial in the world, enjoying but recently the highest degree of apparent prosperity, and maintaining with each other the closest relations, are suddenly, in a time of profound peace, and without any great national disaster, arrested in their career, and plunged into a state of embarrassment and distress. In both countries we have witnessed the same redundancy of paper money, and other facilities of credit; the same spirit of speculation; the same partial successes; the same difficulties and reverses; and, at length, nearly the same overwhelming catastrophe. The most material difference between the results in the two countries has only been, that with us there has only occurred an extensive derangement in the fiscal affairs of the Federal Government,

occasioned by the suspension of the specie payments by the banks.

The history of these causes and effects in Great Britain and the United States is substantially the history of the revulsion in all other countries.

The present and visible effects of these circumstances on the operations of the Government, and on the industry of the people, point out the objects which call for your immediate attention.

They are, to regulate by law the safe-keeping, transfer, and disbursement of the public moneys; to designate the funds to be received and paid by the Government; to enable the Treasury to meet promptly every demand upon it; to prescribe the terms of indulgence, and the mode of settlement to be adopted, as well in collecting from individuals the revenue that has accrued, as in withdrawing it from former depositories, and to devise and adopt such future measures, within the Constitutional competency of Congress, as will be best calculated to revive the enterprise and to promote the prosperity of the country.

For the deposit, transfer, and disbursement of the revenue, national and State banks have always, with temporary and limited exceptions, been heretofore employed; but, although advocates of each system are still to be found, it is apparent that the events of the last few months have greatly augmented the desire, long existing among the people of the United States, to separate the fiscal concerns of the Government from those of individuals or corporations.

Again to create a national bank, as a fiscal agent, would be to disregard the popular will, twice solemnly and unequivocally expressed. On no question of domestic policy is there stronger evidence that the sentiments of a large majority are deliberately fixed; and I can not concur with those who think they see in recent events a proof that these sentiments are, or a reason that they should be, changed.

Events, similar in their origin and character, have heretofore frequently occurred without producing any such change; and the lessons of experience must be forgotten, if we suppose that the present overthrow of credit would have been



prevented by the existence of a national bank. Proneness to excessive issues has ever been the vice of the banking system, a vice as prominent in national as in State institutions. This propensity is as subservient to the advancement of private interests in the one as in the other; and those who direct them both, being principally guided by the same views, and influenced by the same motives, will be equally ready to stimulate extravagance of enterprise by improvidence of credit. How strikingly is this conclusion sustained by experience! The Bank of the United States, with the vast powers conferred on it by Congress, did not or could not prevent former and similar embarrassments; nor has the still greater power it has been said to possess under its present charter enabled it, in the existing emergency, to check other institutions, or even to save itself. In Great Britain, where, it has been seen, the same causes have been attended with the same effects, a national bank, possessing powers far greater than are asked for by the warmest advocates of such an institution here, has also proved unable to prevent an undue expansion of credit and the evils that flow from it. Nor can I find any tenable ground for the re-establishment of a national bank, in the derangement alleged at present to exist in the domestic exchanges of the country, or in the facilities it may be capable of affording them. Although advantages of this sort were anticipated when the first Bank of the United States was created, they were regarded as an incidental accommodation; not one which the Federal Government was bound or could be called upon to furnish. This accommodation is now, indeed, after the lapse of many years, demanded from it as among its first duties; and an omission to aid and regulate commercial exchange is treated as a ground of loud and serious complaint. Such results only serve to exemplify the constant desire among some of our citizens to enlarge the powers of the Government, and extend its control to subjects with which it should not interfere. They can never justify the creation of an institution to promote such objects. On the contrary, they justly excite among the community a more diligent inquiry into the character of those operations of trade toward which it is desired to extend such peculiar favors.



The various transactions that bear the name of domestic exchanges, differ essentially in their nature, operation, and utility. One class of them consists of bills of exchange, drawn for the purpose of transferring actual capital from one part of the country to another, or to anticipate the proceeds of property actually transmitted. Bills of this description are highly useful in the movements of trade, and well deserve all the encouragement which can rightfully be given to them. Another class is made up of bills of exchange, not drawn to transfer actual capital, nor on the credit of property transmitted, but to create fictitious capital, partaking at once of the character of notes discounted in bank, and of bank-notes in circulation, and swelling the mass of paper credits to a vast extent in a most objectionable manner. These bills have formed, for the last few years, a large proportion of what are termed the domestic exchanges of the country, serving as the means of usurious profit, and constituting the most unsafe and precarious paper in circulation. This species of traffic, instead of being upheld, ought to be discountenanced by the Government and the people.

In transferring its funds from place to place, the Government is on the same footing with the private citizen, and may resort to the same legal means. It may do so through the medium of bills drawn by itself, or purchased from others; and in these operations it may, in a manner undoubtedly Constitutional and legitimate, facilitate and assist exchanges of individuals, founded on real transactions of trade. The extent to which this may be done, and the best means of effecting it, are entitled to the fullest consideration. This has been bestowed by the Secretary of the Treasury, and his views will be submitted to you in his report.

But it was not designed by the Constitution that the Government should assume the management of domestic or foreign exchanges. It is indeed authorized to regulate by law the commerce between the States, and to provide a general standard of value, or medium of exchange, in gold and silver; but it is not its province to aid individuals in the transfer of their funds, otherwise than through the facilities afforded by the Post-office Department. As justly might it be called on to

provide for the transportation of their merchandise. These are operations of trade. They ought to be conducted by those who are interested in them, in the same manner that the incidental difficulties of other pursuits are encountered by other classes of citizens. Such aid has not been deemed necessary in other countries. Throughout Europe, the domestic as well as the foreign exchanges are carried on by private houses, often, if not generally, without the assistance of banks. Yet they extend throughout distinct sovereignties, and far exceed in amount the real exchanges of the United States. There is no reason why our own may not be conducted in the same manner with equal cheapness and safety. Certainly this might be accomplished if it were favored by those most deeply interested; and few can doubt that their own interest, as well as the general welfare of the country, would be promoted by leaving such a subject in the hands of those to whom it properly belongs. A system founded on private interest, enterprise, and competition, without the aid of legislative grants or regulations by law, would rapidly prosper; it would be free from the influence of political agitation, and extend the same exemption to trade itself; and it would put an end to those complaints of neglect, partiality, injustice, and oppression, which are the unavoidable results of interference by the Government in the proper concerns of individuals. All former attempts on the part of the Government to carry its legislation in this respect further than was designed by the Constitution, have, in the end, proved injurious, and have served only to convince the great body of the people, more and more, of the certain dangers of blending private interests with the operations of public business; and there is no reason to suppose that a repetition of them now would be more successful.

It can not be concealed that there exist in our community opinions and feelings on this subject in direct opposition to each other. A large portion of them, combining great intelligence, activity, and influence, are no doubt sincere in their belief that the operations of trade ought to be assisted by such a connection; they regard a national bank as necessary for this purpose, and they are disinclined to every measure that does not tend, sooner or later, to the establishment of such an

institution. On the other hand, a majority of the people are believed to be irreconcilably opposed to that measure; they consider such a concentration of power dangerous to their liberties; and many of them regard it as a violation of the Constitution. This collision of opinion has doubtless caused much of the embarrassment to which the commercial transactions of the country have lately been exposed. Banking has become a political topic of the highest interest, and trade has suffered in the conflict of parties. A speedy termination of this state of things, however desirable, is scarcely to be expected. We have seen for nearly half a century that those who advocate a national bank, by whatever motive they may be influenced, constitute a portion of our community too numerous to allow us to hope for an early abandonment of their favorite plan. On the other hand, they must indeed form an erroneous estimate of the intelligence and temper of the American people, who suppose that they have continued on slight or insufficient grounds their persevering opposition to such an institution; or that they can be induced by pecuniary pressure, or by any other combination of circumstances, to surrender principles they have so long and so inflexibly maintained.

My own views of the subject are unchanged. They have been repeatedly and unreservedly announced to my fellow-citizens, who, with full knowledge of them, conferred upon me the two highest offices of the Government. On the last of these occasions, I felt it due to the people to apprise them distinctly that, in the event of my election, I would not be able to co-operate in the re-establishment of a national bank. To these sentiments I have now only to add the expression of an increased conviction, that the re-establishment of such a bank, in any form, while it would not accomplish the beneficial purposes promised by its advocates, would impair the rightful supremacy of the popular will, injure the character and diminish the influence of our political system, and bring once more into existence a concentrated moneyed power, hostile to the spirit, and threatening the permanency, of our Republican institutions.

Local banks have been employed for the deposit and

distribution of the revenue, at all times partially, and on three different occasions exclusively: First, anterior to the establishment of the first Bank of the United States; secondly, in the interval between the termination of that institution and the charter of its successor; and thirdly, during the limited period which has now so abruptly closed. The connection thus repeatedly attempted, proved unsatisfactory on each successive occasion, notwithstanding the various measures which were adopted to facilitate or insure its success. On the last occasion, in the year 1833, the employment of the State banks was guarded especially in every way which experience and caution could suggest. Personal security was required for the safe-keeping and prompt payment of the moneys to be received, and full returns of their condition were from time to time to be made by the depositories. In the first stages, the measure was eminently successful, notwithstanding the violent opposition of the Bank of the United States, and the unceasing efforts made to overthrow it. The selected banks performed with fidelity, and without any embarrassment to themselves or to the community, their engagements to the Government, and the system promised to be permanently useful. But when it became necessary, under the act of June, 1836, to withdraw from them the public money for the purpose of placing it in additional institutions, or of transferring it to the States, they found it in many cases inconvenient to comply with the demands of the Treasury, and numerous and pressing invitations were made for indulgence or relief. As the installments under the deposit law became payable, their own embarrassments, and the necessity under which they lay of curtailing their discounts and calling in their debts, increased the general distress, and contributed, with other causes, to hasten the revulsion in which at length they, in common with the other banks, were fatally involved.

Under these circumstances, it becomes our solemn duty to inquire whether there are not, in any connection between the Government and the banks of issue, evils of great magnitude, inherent in their very nature, and against which no precautions can effectually guard.

Unforeseen in the organization of the Government, and

forced on the Treasury by early necessities, the practice of employing banks was, in truth, from the beginning, more a measure of emergency than of sound policy. When we started into existence as a Nation, in addition to the burdens of the new Government, we assumed all the large but honorable load of debt which was the price of our liberty; but we hesitated to weigh down the infant industry of the country by resorting to adequate taxation for the necessary revenue. The facilities of banks, in return for the privileges they acquired, were promptly offered, and perhaps too readily received by an embarrassed Treasury. During the long continuance of a national debt, and the intervening difficulties of a foreign war, the connection was continued from motives of convenience; but these causes have long since passed away. We have no emergencies that make banks necessary to aid the wants of the Treasury, we have no load of national debt to provide for, and we have on actual deposit a large surplus. No public interest, therefore, now requires the renewal of a connection that circumstances have dissolved. The complete organization of our Government, the abundance of our resources, the general harmony which prevails between the different States and with foreign powers, all enable us now to select the system most consistent with the Constitution, and most conducive to the public welfare. Should we, then, connect the Treasury for a fourth time with the local banks, it can only be under a conviction that past failures have arisen from accidental, not inherent defects.

A danger, difficult if not impossible to be avoided, in such an arrangement, is made strikingly evident in the very event by which it has now been defeated. A sudden act of the banks intrusted with the funds of the people, deprives the Treasury, without fault or agency of the Government, of the ability to pay its creditors in the currency they have by law a right to demand. This circumstance no fluctuation of commerce could have produced, if the public revenue had been collected in the legal currency, and kept in that form by the officers of the Treasury. The citizen whose money was in bank receives it back, since the suspension, at a sacrifice in its amount; while he who kept it in the legal currency of the country, and in his



own possession, pursues without loss the current of his business. The Government, placed in the situation of the former, is involved in embarrassments it could not have suffered, had it pursued the course of the latter. These embarrassments are, moreover, augmented by those salutary and just laws which forbid it to use a depreciated currency, and, by so doing, take from the Government the ability which individuals have of accommodating their transactions to such a catastrophe.

A system which can, in a time of profound peace, when there is a large revenue laid by, thus suddenly prevent the application and the use of the money of the people, in the manner and for the objects they have directed, can not be wise; but who can think, without painful reflection, that under it the same unforeseen events might have befallen us in the midst of a war, and taken from us, at the moment when most wanted, the use of those very means which were treasured up to promote the national welfare and guard our national rights? To such embarrassments and to such dangers will this Government be always exposed, while it takes the moneys raised for, and necessary to, the public service, out of the hands of its own officers, and converts them into a mere right of action against corporations intrusted with the possession of them. Nor can such results be effectually guarded against in such a system, without investing the Executive with a control over the banks themselves, whether State or national, that might with reason be objected to. Ours is probably the only Government in the world that is liable, in the management of its fiscal concerns, to occurrences like these. But this immense risk is not the only danger attendant on the surrender of the public money to the custody and control of local corporations. Though the object is to aid the Treasury, its effect may be to introduce into the operations of the Government, influences the most subtle, founded on interests the most selfish.

The use by the banks, for their own benefit, of the money deposited with them, has received the sanction of the Government from the commencement of this connection. The money received from the people, instead of being kept till it is needed for their use, is, in consequence of this authority, a fund, on which discounts are made for the profit of those who happen to



be owners of stock in the banks selected as depositories. The supposed and often exaggerated advantages of such a boon will always cause it to be sought for with avidity. I will not stop to consider on whom the patronage incident to it is to be conferred; whether the selection and control be trusted to Congress or to the Executive, either will be subjected to appeals made in every form which the sagacity of interest can suggest. The banks, under such a system, are stimulated to make the most of their fortunate acquisition; the deposits are treated as an increase of capital; loans and circulations are rashly augmented, and when the public exigencies require a return, it is attended with embarrassments not provided for nor foreseen. Thus banks that thought themselves most fortunate when the public funds were received, find themselves most embarrassed when the season of payment suddenly arrives.

Unfortunately, too, the evils of the system are not limited to the banks. It stimulates a general rashness of enterprise, and aggravates the fluctuations of commerce and the currency. This result was strikingly exhibited during the operations of the late deposit system, and especially in the purchases of public lands. The order which ultimately directed the payment of gold and silver in such purchases greatly checked, but could not altogether prevent the evil. Specie was indeed more difficult to be procured than the notes which the banks themselves could create at pleasure; but still being obtained from them as a loan, and returned as a deposit, which they were again at liberty to use, it only passed round the circle with diminished speed. This operation could not have been performed, had the funds of the Government gone into the Treasury, to be regularly disbursed, and not into the banks, to be loaned out for their own profit, while they were permitted to substitute for it a credit in account.

In expressing these sentiments, I desire not to undervalue the benefits of a salutary credit to any branch of enterprise. The credit bestowed on probity and industry is the just reward of merit, and an honorable incentive to further acquisition. None oppose it who love their country and understand its welfare. But when it is unduly encouraged—when it is made to inflame the public mind with the temptations of sudden and

unsubstantial wealth; when it turns industry into paths that lead sooner or later to disappointment and distress—it becomes liable to censure, and needs correction. Far from helping probity and industry, the ruin to which it leads falls most severely on the great laboring classes, who are thrown suddenly out of employment, and by the failure of magnificent schemes, never intended to enrich them, are deprived in a moment of their only resource. Abuses of credit and excess in speculation will happen in despite of the most salutary laws; no government, perhaps, can altogether prevent them; but surely every government can refrain from contributing the stimulus that calls them into life.

Since, therefore, experience has shown, that to lend the public money to the local banks, is hazardous to the operations of the Government, at least of doubtful benefit to the institutions themselves, and productive of disastrous derangement in the business and currency of the country, is it the part of wisdom again to renew the connection?

It is true that such an agency is in many respects convenient to the Treasury, but it is not indispensable. A limitation of the expenses of the Government to its actual wants, and of the revenue to those expenses, with convenient means for its prompt application to the purposes for which it was raised, are the objects which we should seek to accomplish. The collection, safe-keeping, transfer, and disbursements of the public money can, it is believed, be well managed by officers of the Government. Its collection, and, to a great extent, its disbursements also, have indeed been hitherto conducted solely by them; neither national nor State banks, when employed, being required to do more than keep it safely while in their custody, and transfer and pay it in such portions and at such time as the Treasury shall direct.

Surely banks are not more able than the Government to secure the money in their possession against accident, violence, or fraud. The assertion that they are so, must assume that a vault in a bank is stronger than a vault in the Treasury; and that directors, cashiers, and clerks, not selected by the Government, not under its control, are more worthy of confidence than officers selected from the people and responsible to the

Government, officers bound by official oaths and bonds for a faithful performance of their duties, and constantly subject to the supervision of Congress.

The difficulties of transfer, and the aid heretofore rendered by banks, have been less than is usually supposed. The actual accounts show that by far the larger portion of payments is made within short or convenient distances from the places of collection; and the whole number of warrants issued at the Treasury in the year 1834—a year, the result of which will, it is believed, afford a safe test for the future—fell short of five thousand, on an average of less than one daily, for each State; in the city of New York they did not average more than two a day, and at the city of Washington only four.

The difficulties heretofore existing are, moreover, daily lessened by an increase in the cheapness and facility of communication; and it may be asserted with confidence that the necessary transfers, as well as the safe-keeping and disbursements of the public moneys, can be with safety and convenience accomplished through the agency of Treasury officers. This opinion has been in some degree confirmed by actual experience since the discontinuance of banks as fiscal agents in May last; a period which, from the embarrassments in commercial intercourse, presented obstacles as great as any that may be hereafter apprehended.

The manner of keeping the public moneys since that period is fully stated in the report of the Secretary of the Treasury. That officer also suggests the propriety of assigning, by law, certain additional duties of existing establishments and officers, which, with the modifications and safeguards referred to by him, will, he thinks, enable the Department to continue to perform this branch of the public service, without any material addition either to their number or to the present expense. The extent of the business to be transacted has already been stated; and in respect to the amount of money with which the officers employed would be intrusted at any one time, it appears that, assuming a balance of five millions to be at all times kept in the Treasury, and the whole of it left in the hands of the collectors and receivers, the proportion of each would not exceed an average of thirty thousand dollars;

but that, deducting one million for the use of the mint, and assuming the remaining four millions to be in the hands of one-half of the present number of officers, a supposition deemed more likely to correspond with the fact, the sum in the hands of each would still be less than the amount of most of the bonds now taken from the receivers of public money. Every apprehension, however, on the subject, either in respect to the safety of the money or the faithful discharge of these fiscal transactions, may, it appears to me, be effectually removed by adding to the present means of the Treasury, the establishment by law, at a few important points, of officers for the deposit and disbursement of such portions of public revenue as can not, with obvious safety and convenience, be left in the possession of the collecting officers until paid over by them to the public creditors. Neither the amounts retained in their hands, nor those deposited in the offices, would, in an ordinary condition of the revenue, be larger, in most cases, than those often under the control of disbursing officers of the army and navy, and might be made entirely safe, by requiring such securities, and exercising such controlling supervision, as Congress may by law prescribe. The principal officers whose appointments would become necessary under the plan, taking the largest number suggested by the Secretary of the Treasury, would not exceed ten; nor the additional expenses, at the same estimate, sixty thousand dollars a year.

There can be no doubt of the obligation of those who are intrusted with the affairs of Government, to conduct them with as little cost to the Nation as is consistent with the public interest; and it is for Congress, and ultimately for the people, to decide whether the benefits to be derived from keeping our fiscal concerns apart, and severing the connection which has hitherto existed between the Government and the banks, offers sufficient advantages to justify the necessary expenses. If the object to be accomplished is deemed important to the future welfare of the country, I can not allow myself to believe that the addition to the public expenditure of comparatively so small an amount as will be necessary to effect it will be objected to by the people.

It will be seen by the report of the Postmaster-General

herewith communicated, that the fiscal affairs of that Department have been successfully conducted since May last, upon the principle of dealing only in the legal currency of the United States, and that it needs no legislation to maintain its credit, and facilitate the management of its concerns; the existing laws being, in the opinion of that officer, ample for those objects.

Difficulties will doubtless be encountered for a season, and increased services required from the public functionaries; such are usually incident to the commencement of every system, but they will be greatly lessened in the progress of operations.

The power and influence supposed to be connected with the custody and disbursement of the public money, are topics on which the public mind is naturally, and with great propriety, peculiarly sensitive. Much has been said on them, in reference to the proposed separation of the Government from the banking institutions; and surely no one can object to any appeals or animadversions on the subject, which are consistent with the facts, and evince a proper respect for the intelligence of the people. If a Chief Magistrate may be allowed to speak for himself on such a point, I can truly say, that, to me, nothing would be more acceptable than the withdrawal from the Executive, to the greatest practicable extent, of all concern in the custody and disbursement of the public revenue; not that I would shrink from any responsibility cast upon me by the duties of my office, but because it is my firm belief that its capacity for usefulness is in no degree promoted by the possession of any patronage not actually necessary to the performance of those duties. But under our present form of Government, the intervention of the Executive officers in the custody and disbursement of the public money seems to be unavoidable; and before it can be admitted that the influence and power of the Executive would be increased by dispensing with the agency of banks, the nature of that intervention in such an agency must be carefully regarded, and a comparison must be instituted between its extent in the two cases. •

The revenue can only be collected by officers appointed by the President, with the advice and consent of the Senate. The public moneys, in the first instance, must, therefore, in all cases,



pass through hands selected by the Executive. Other officers appointed in the same way, or, as in some cases, by the President alone, must also be intrusted with them when drawn for the purposes of disbursement. It is thus seen that even when banks were employed, the public funds must twice pass through the hands of the executive officers. Besides this, the head of the Treasury Department, who also holds his office at the pleasure of the President, and some other officers of the same department, must necessarily be invested with more or less power in the selection, continuance, and supervision of the banks that may be employed. The question is then narrowed to the single point whether, in the intermediate stage between the collection and disbursement of the public money, the agency of banks is necessary to avoid a dangerous extension of the patronage and influence of the Executive? But is it clear that the connection of the Executive with powerful moneyed institutions, capable of ministering to the interests of men in points where they are most accessible to corruption, is less liable to abuse than his Constitutional agency in the appointment and control of the few public officers required by the proposed plan? Will the public money, when in their hands, be necessarily exposed to any improper interference on the part of the Executive? May it not be hoped that a prudent fear of public jealousy and disapprobation, in a matter so peculiarly exposed to them, will deter him from any such interference, even if higher motives be found inoperative? May not Congress so regulate by law the duty of those officers, and subject it to such supervision and publicity, as to prevent the possibility of any serious abuse on the part of the Executive? And is there equal room for such supervision and publicity in a connection with banks, acting under the shield of corporate immunities, and conducted by persons irresponsible to the Government and the people? It is believed that a considerate and candid investigation of these questions will result in the conviction that the proposed plan is far less liable to objection, on the score of Executive patronage and control, than any bank agency that has been or can be devised.

With these views, I leave to Congress the measures necessary to regulate, in the present emergency, the safe-keeping



and transfer of the public moneys. In the performance of Constitutional duty, I have stated to them, without reserve, the result of my own reflections. The subject is of great importance; and one on which we can scarcely expect to be as united in sentiment as we are in interest. It deserves a full and free discussion, and can not fail to be benefited by a dispassionate comparison of opinions. Well aware myself of the duty of reciprocal concession among the co-ordinate branches of the Government, I can promise a reasonable spirit of co-operation, so far as it can be indulged in, without the surrender of Constitutional objections which I believe to be well founded. Any system that may be adopted should be subjected to the fullest legal provision, so as to leave nothing to the Executive but what is necessary to the discharge of the duties imposed on him; and whatever plan may be ultimately established, my own part shall be so discharged as to give it a fair trial and the best prospect of success.

The character of the funds to be received and disbursed in the transactions of the Government likewise demands your most careful consideration.

There can be no doubt that those who framed and adopted the Constitution, having in immediate view the depreciated paper of the confederacy—of which five hundred dollars in paper were at times only equal to one dollar in coin—intended to prevent the recurrence of similar evils, so far, at least, as related to the transactions of the new Government. They gave to Congress express powers to coin money, and to regulate the value thereof, and of foreign coin; they refused to give it power to establish corporations, the agents then, as now, chiefly employed to create a paper currency; they prohibited the States from making anything but gold and silver a legal tender in payment of debts; and the first Congress directed, by positive law, that the revenue should be received in nothing but gold and silver.

Public exigency at the outset of the Government, without direct legislative authority, led to the use of banks as the fiscal aids to the Treasury. In admitted deviation from the law, at the same period, and under the same exigency, the Secretary of the Treasury received their notes in payment of duties.

The sole ground on which the practice, thus commenced, was then, or has since been, justified, is the certain, immediate, and convenient exchange of such notes for specie. The Government did indeed receive the inconvertible notes of State banks during the difficulties of war; and the community submitted without a murmur to the unequal taxation and multiplied evils of which such a course was productive. With the war this indulgence ceased, and the banks were obliged again to redeem their notes in gold and silver. The Treasury, in accordance with previous practice, continued to dispense with the currency required by the act of 1789, and took the notes of banks in full confidence of their being paid in specie on demand; and Congress, to guard against the slightest violation of this principle, have declared by law, that if notes are paid in the transactions of the Government, it must be under such circumstances as to enable the holder to convert them into specie without depreciation or delay.

Of my own duties under the existing laws, when the banks suspended specie payments, I could not doubt. Directions were immediately given to prevent the reception into the Treasury of anything but gold and silver, or its equivalent; and every practicable arrangement was made to preserve the public faith, by similar and equivalent payments to the public creditors. The revenue from lands had been for some time substantially so collected, under the order issued by the directions of my predecessor. The effects of that order had been so salutary, and its forecast, in regard to the increasing insecurity of bank paper, had become so apparent, that even before the catastrophe, I had resolved not to interfere with its operation. Congress is now to decide whether the revenue shall continue to be so collected or not.

The receipts, into the Treasury, of bank-notes not redeemed in specie on demand, will not, I presume, be sanctioned. It would destroy, without the excuse of war or public distress, that equality of imposts, and identity of commercial regulation, which lie at the foundation of our confederacy, and would offer to each State a direct temptation to increase its foreign trade by depreciating the currency received for duties in its ports. Such a proceeding would also, in a great degree,

frustrate the policy, so highly cherished, of infusing into our circulation a large proportion of the precious metals; a policy, the wisdom of which none can doubt, though there may be different opinions as to the extent to which it should be carried. Its results have been already too auspicious, and its success is too closely interwoven with the future prosperity of the country, to permit us for a moment to contemplate its abandonment. We have seen, under its influence, our specie augmented beyond eighty millions; our coinage increased so as to make that of the gold amount, between August, 1834, and December, 1836, to ten millions of dollars; exceeding the whole coinage at the mint during the thirty-one previous years. The prospect of further improvement continued without abatement, until the moment of the suspension of specie payments. This policy has now indeed been suddenly checked, but is still far from being overthrown. Amid all conflicting theories, one position is undeniable: the precious metals will invariably disappear when there ceases to be a necessity for their use as a circulating medium. It was in strict accordance with this truth, that while in the month of May last they were everywhere seen, and were current for all ordinary purposes, they disappeared from circulation the moment the payment of specie was refused by the banks, and the community tacitly agreed to dispense with its employment. Their place was supplied by a currency exclusively of paper, and in many cases of the worst description. Already are the bank-notes now in circulation greatly depreciated, and they fluctuate in value between one place and another; thus diminishing and making uncertain the worth of property and the price of labor, and failing to subserve, except at a heavy loss, the purposes of business. With each succeeding day, the metallic currency decreases; by some it is hoarded, in the natural fear that, once parted with, it can not be replaced; while by others it is diverted from its more legitimate uses for the sake of gain. Should Congress sanction this condition of things by making irredeemable paper money receivable in payment of public dues, a temporary check to a wise and salutary policy will in all probability be converted into its absolute destruction.

It is true that bank-notes, actually converted into specie,

may be received in payment of the revenue without being liable to all these objections, and that such a course may to some extent promote individual convenience; an object always to be considered where it does not conflict with the principles of our Government, or the general welfare of the country. If such notes only were received, and always under circumstances allowing their early presentation for payment; and if, at short and fixed periods, they were converted into specie, to be kept by the officers of the Treasury, some of the most serious obstacles to their reception would perhaps be removed. To retain the notes in the Treasury would be to renew, under another form, the loans of public money to the banks, and the evils consequent thereon.

It is, however, a mistaken impression that any large amount of specie is required for public payments. Of the seventy or eighty millions now estimated to be in the country, ten millions would be abundantly sufficient for that purpose, provided an accumulation of a large amount of revenue, beyond the necessary wants of the Government, be hereafter prevented. If to these considerations be added the facilities which will arise from enabling the Treasury to satisfy the public creditors by its drafts or notes received in payment of the public dues, it may be safely assumed that no motive of convenience to the citizen requires the reception of bank paper.

To say that the refusal of paper money by the Government introduces an unjust discrimination between the currency received by it, and that used by individuals in their ordinary affairs, is, in my judgment, to view it in a very erroneous light. The Constitution prohibits the States from making anything but gold and silver a tender in the payment of debts, and thus secures to every citizen a right to demand payment in the legal currency. To provide by law that the Government will only receive its dues in gold and silver, is not to confer on it any peculiar privilege, but merely to place it on an equality with the citizen, by reserving to it a right secured to him by the Constitution. It is doubtless for this reason that the principle has been sanctioned by successive laws, from the time of the first Congress under the Constitution down to the last. Such precedents, never objected to, and proceeding from such sources,

afford a decisive answer to the imputation of inequality or injustice.

But, in fact, the measure is one of restriction, not of favor. To forbid the public agent to receive in payment any other than a certain kind of money, is to refuse him a discretion possessed by every citizen. It may be left to those who have the management of their own transactions, to make their own terms; but no such discretion should be given to him who acts merely as an agent of the people, who is to collect what the law requires, and to pay the appropriations it makes. When bank-notes are redeemed on demand, there is then no discrimination in reality; for the individual who receives them may, at his option, substitute the specie for them—he takes them from convenience or choice. When they are not so redeemed, it will scarcely be contended that their receipt and payment by a public officer should be permitted, though none deny that right to an individual; if it were, the effect would be most injurious to the public, since the officer could make none of those arrangements to meet or guard against the depreciation which an individual is at liberty to do. Nor can inconvenience to the community be alleged as an objection to such a regulation. Its object and motive are their convenience and welfare.

If, at a moment of simultaneous and unexpected suspension by the banks, it adds something to the many embarrassments of that proceeding, yet these are far overbalanced by its direct tendency to produce a wider circulation of gold and silver, to increase the safety of bank paper, to improve the general currency, and thus to prevent altogether such occurrences, and the other and far greater evils that attend them.

It may, indeed, be questioned whether it is not for the interest of the banks themselves that the Government should not receive their paper. They would be conducted with more caution, and on sounder principles. By using specie only in its transactions, the Government would create a demand for it, which would, to a great extent, prevent its exportation, and by keeping it in circulation, maintain a broader and safer basis for the paper currency. That the banks would thus be rendered more sound, and the community more safe, can not admit of a doubt.



The foregoing views, it seems to me, but fairly carry out the provisions of the Federal Constitution in relation to the currency, as far as relates to the public revenue. At the time that instrument was framed, there were but three or four banks in the United States; and had the extension of the banking system, and the evils growing out of it, been foreseen, they would probably have been specially guarded against. The same policy which led to the prohibition of bills of credit by the States would doubtless, in that event, have also interdicted their issue as a currency in any other form. The Constitution, however, contains no such prohibition; and, since the States have exercised, for nearly half a century, the power to regulate the business of banking, it is not to be expected that it will be abandoned. The whole matter is now under discussion before the proper tribunal—the people of the States. Never before has the public mind been so thoroughly awakened to a proper sense of its importance; never has the subject in all its bearings been submitted to so searching an inquiry. It would be distrusting the intelligence and virtue of the people, to doubt the speedy and efficient adoption of such measures of reform as the public good demands. All that can rightfully be done by the Federal Government to promote the accomplishment of that important object will, without doubt, be performed.

In the meantime, it is our duty to provide all the remedies against a depreciated paper currency which the Constitution enables us to afford. The Treasury Department, on several former occasions, has suggested the propriety and importance of a uniform law concerning bankruptcies of corporations and others. Through the instrumentality of such a law, a salutary check may doubtless be imposed on the issues of paper money, and an effectual remedy given to the citizen in a way at once equal in all parts of the Union, and fully authorized by the Constitution.

The indulgence granted by Executive authority in the payment of bonds for duties, has been already mentioned. Seeing that the immediate enforcement of these engagements would subject a large and highly respectable portion of our citizens to great sacrifices, and believing that a temporary postponement could be made without detriment to other interests, and



with increased certainty of ultimate payment, I did not hesitate to comply with the request that was made of me. The terms already are, to the full extent, as liberal as any that are to be found in the practice of the Executive Department. It remains for Congress to decide whether a further postponement may not with propriety be allowed, and if so, their legislation upon the subject is respectfully invited.

The report of the Secretary of the Treasury will exhibit the condition of these debts; the extent and effect of the present indulgence; the probable result of its further extension, of the state of the Treasury, and every other fact necessary to a full consideration of the subject. Similar information is communicated in regard to such depositories of the public moneys as are indebted to the Government, in order that Congress may also adopt the proper measures in regard to them.

The receipts and expenditures for the first half of the year, and an estimate of those for the residue, will be laid before you by the Secretary of the Treasury. In his report of December last, it was estimated that the current receipts would fall short of the expenditures by about three millions of dollars. It will be seen that the difference will be much greater. This is to be attributed, not only to the occurrence of greater pecuniary embarrassments in the business of the country than those which were then predicted, and consequently a greater diminution in the revenue, but also to the fact that the appropriations exceeded, by nearly six millions, the amount which was asked for in the estimates then submitted. The sum necessary for the service of the year, beyond the probable receipts, and the amount which it was intended should be reserved in the Treasury at the commencement of the year, will be about six millions. If the whole of the reserved balance be not at once applied to the current expenditures, but four millions be still kept in the Treasury, as seems most expedient for the uses of the mint, and to meet contingencies, the sum needed will be ten millions.

In making this estimate the receipts are calculated on the supposition of some further extension of the indulgence granted in the payment of bonds for duties, which will affect the

amount of the revenue for the present year to the extent of two and a half millions.

It is not proposed to procure the required amount by loans or increased taxation. There are now in the Treasury nine millions three hundred and sixty-seven thousand two hundred dollars, directed by the act of the 23d of June, 1836, to be deposited with the States in October next. This sum, if so deposited, will be subject under the law to be recalled, if needed, to defray existing appropriations; and as it is now evident that the whole, or the principal part of it, will be wanted for that purpose, it appears most proper that the deposit should be withheld. Until the amount can be collected from the banks, treasury-notes may be temporarily issued, to be gradually redeemed as it is received.

I am aware that this course may be productive of inconvenience to many of the States. Relying upon the acts of Congress which held out to them the strong probability, if not the certainty, of receiving this installment, they have in some instances adopted measures with which its retention may seriously interfere. That such a condition of things should have occurred is much to be regretted. It is not the least among the unfortunate results of the disasters of the times; and it is for Congress to devise a fit remedy, if there be one. The money being indispensable to the wants of the Treasury, it is difficult to conceive upon what principle of justice or expediency its application to that object can be avoided. To recall any portions of the sums already deposited with the States, would be more inconvenient and less efficient. To burden the country with increased taxation, when there is in fact a large surplus revenue, would be unjust and unwise; to raise moneys by loans under such circumstances, and thus to commence a new national debt, would scarcely be sanctioned by the American people.

The plan proposed will be adequate to all our fiscal operations during the remainder of the year. Should it be adopted, the Treasury, aided by the ample resources of the country, will be able to discharge, punctually, every pecuniary obligation. For the future, all that is needed will be that caution and forbearance in appropriations which the diminution of the

revenue requires, and which the complete accomplishment and great forwardness of many expensive national undertakings renders equally consistent with prudence and patriotic liberality.

The preceding suggestions and recommendations are submitted, in the belief that their adoption by Congress will enable the Executive Department to conduct our fiscal concerns with success, so far as their management has been committed to it. While the objects and the means proposed to attain them are within its Constitutional powers and appropriate duties, they will, at the same time, it is hoped, by their necessary operation, afford essential aid in the transaction of individual concerns, and thus yield relief to the people at large, in a form adopted to the nature of our Government. Those who look to the action of this Government for specific aid to the citizen to relieve embarrassments arising from losses by revulsions in commerce and credit, lose sight of the ends for which it was created, and the powers with which it is clothed. It was established to give security to us all, in our lawful and honorable pursuits, under the lasting safeguard of republican institutions. It was not intended to confer special favors on individuals, or on any classes of them; to create systems of agriculture, manufactures, or trade; or to engage in them, either separately or in connection with individual citizens or organized associations. If its operations were to be directed for the benefit of any one class, equivalent favors must, in justice, be extended to the rest and the attempt to bestow such favors with an equal hand, or even to select those who should most deserve them, would never be successful.

All communities are apt to look to government for too much. Even in our own country, where its powers and duties are so strictly limited, we are prone to do so, especially at periods of sudden embarrassment and distress. But this ought not to be. The framers of our excellent Constitution, and the people who approved it with calm and sagacious deliberation, acted at the time on a sounder principle. They wisely judged that the less government interferes with private pursuits, the better for the general prosperity. It is not its legitimate object to make men rich, or to repair, by direct grants of money or legislation in favor of particular pursuits, losses not

incurred in the public service. This would be substantially to use the property of some for the benefit of others. But its real duty—that duty, the performance of which makes a good government the most precious of human blessings—is to enact and enforce a system of general laws commensurate with, but not exceeding, the objects of its establishment, and to leave every citizen and every interest to reap, under its benign protection, the reward of virtue, industry, and prudence.

I can not doubt that on this, as on all similar occasions, the Federal Government will find its agency most conducive to the security and happiness of the people, when limited to the exercise of its conceded powers. In never assuming, even for a well-meant object, such powers as were not designed to be conferred upon it, we shall, in reality, do most for the general welfare. To avoid every unnecessary interference with the pursuits of the citizen, will result in more benefit than to adopt measures which could only assist limited interests, and are eagerly, but perhaps naturally, sought for, under the pressure of temporary circumstances. If, therefore, I refrain from suggesting to Congress any specific plan for regulating the exchanges of the country, relieving mercantile embarrassments, or interfering with the ordinary operations of foreign or domestic commerce, it is from a conviction that such measures are not within the Constitutional province of the General Government, and that their adoption would not promote the real and permanent welfare of those they might be designed to aid.

The difficulties and distresses of the times, though unquestionably great, are limited in their extent, and can not be regarded as affecting the permanent prosperity of the Nation. Arising, in a great degree, from the transactions of foreign and domestic commerce, it is upon them that they have chiefly fallen. The great agricultural interest has, in many parts of the country, suffered comparatively little; and, as if Providence intended to display the munificence of its goodness at the moment of our greatest need, and in direct contrast to the evils occasioned by the waywardness of man, we have been blessed throughout our extended territory with a season of general health and of uncommon fruitfulness. The proceeds of our great staple will soon furnish the means of liquidating

debts at home and abroad, and contribute equally to the revival of commercial activity and the restoration of commercial credit. The banks, established avowedly for its support, deriving their profits from it, and resting under obligations to it which can not be overlooked, will feel at once the necessity and justice of uniting their energies with those of their mercantile interest.

The suspension of specie payments, at such a time and under such circumstances as we have lately witnessed, could not be other than a temporary measure; and we can scarcely err in believing that the period must soon arrive when all that are solvent will redeem their issues in gold and silver. Dealings abroad naturally depend on resources and prosperity at home. If the debt of our merchants has accumulated, or their credit is impaired, these are fluctuations always incident to extensive or extravagant mercantile transactions. But the ultimate security of such obligations does not admit of question. They are guaranteed by the resources of a country, the fruits of whose industry afford abundant means of ample liquidation, and by the evident interest of every merchant to sustain a credit hitherto high, by promptly applying these means for its preservation.

I deeply regret that events have occurred which require me to ask your consideration of such serious topics. I could have wished that, in making my first communication to the assembled Representatives of my country, I had nothing to dwell upon but the history of our unalloyed prosperity. Since it is otherwise, we can only feel more deeply the responsibility of the respective trusts that have been confided to us, and under the pressure of difficulties, unite in invoking the guidance and aid of the Supreme Ruler of nations, and in laboring with zealous resolution to overcome the difficulties by which we are environed.

It is, under such circumstances, a high gratification to know, by long experience, that we act for a people to whom the truth, however unpromising, can always be spoken with safety; for the trial of whose patriotism no emergency is too severe, and who are sure never to desert a public functionary honestly laboring for the public good. It seems just that they should



receive, without delay, any aid in their embarrassments which your deliberations can afford. Coming directly from the midst of them, and knowing the course of events in every section of our country, from you may best be learned, as well the extent and nature of these embarrassments, as the most desirable measure of relief.

I am aware, however, that it is not proper to detain you at present, any longer than may be demanded by the special objects for which you are convened. To them, therefore, I have confined my communication; and believing that it would not be your own wish to extend your deliberations beyond them, I reserve, till the usual period of your annual meeting, that general information of the state of the Union which the Constitution requires me to give.

This message is confined to the one purpose for which Congress had been convened, that of providing some remedy for the general financial distresses, and is a calm and clear statement of the condition of the Government and country. The President gives his reasons for assembling Congress in extraordinary session, and plainly implicates party spirit and intrigue in the monetary revulsion. While the history of the times evidently justified him in this view, it would be difficult to believe, from a reasonable ground merely, the full extent of the complicity in the disasters of 1837, as charged against the Whigs by the friends of General Jackson and the new Administration. Every step in Jackson's Administration which had led to or developed the crash of 1837, the Whigs had fought against. While believing that these steps would lead to this very result, they had not fostered or upheld in Congress the measures they deemed fatal, as a means for effecting



the overthrow of their political adversaries. They had, indeed, in tones of thunder, warned the Executive and the country of what might be expected to follow. But when the crash came they did their best to make the Administration feel its weight, as well as to turn the evil to their own advantage. This was mainly the extent of their crime.

Mr. Benton and others went so far as to leave on record the opinion that Daniel Webster was, to some extent, directly responsible for the action of the banks on the 10th of May; that he recommended that step as the last straw needed to break the back of the dominant party. That was, however, a charge which it would not be easy to sustain.

Mr. Webster was always distinguished as an augur of future events. In his speeches at Wheeling, New York, and other places, immediately prior to the suspension of the banks, he only exercised his habit of prophesying. If a party had only been involved in the calamity, if only the instruments and props of the Administration had been concerned in the distress, it would be easier to support this view. Whigs and Democrats alike, the whole country, suffered. To suppose that sane men would deliberately plot their own financial ruin, and know they were doing so, is not wise. That the ruined man or community charged the cause to some source was natural enough, and that the party leaders saw in the calamity, when it came, their opportunity, and used it, was also natural enough, not to say perfectly right and proper, if they honestly believed that in their hands the interests of

the country would be best subserved. The Whigs would have adhered to the Bank of the United States. But that would only have made the calamity greater when it came, at a future day. The true method had not yet been devised. The Whigs had it not. Had the Bank of the United States been left undisturbed, and rechartered with a provision for a gradual organization of an independent treasury, the case might have been at any time less desperate.

The President placed the great cause of the disaster in overaction in business. This remarkable dogma has, at different times in the history of the country, gained considerable credence; but doubtfully among men of intelligent judgment. This message was written at the end of a period of wonderful speculation, a period of over-speculation, and absence of sound, solid business. It may well be at least a matter of strong doubt whether the world could ever be overrun by sound, persevering, healthy, honest adventure and business; or whether over-labor, over-production of the good, needful, and valuable things of this earth can ever inflate and stagnate the country. Labor does not inflate; well-directed energy does not stagnate. Laziness, inactivity, misdirection, fiction, bluster, ignorance are not roads to prosperity and stability.

Before the meeting of Congress it was quite apparent that Mr. Van Buren would not favor the re-establishment of the Bank of the United States, or any national institution. But even had a majority

of the people not favored the policy for its destruction, the restoration of the bank at that time would have been ineffectual. The crisis had come, and re-establishment was not the remedy. This was evident enough. This was not all. There was, unfortunately, no immediate remedy. Still it was expected that the message would lay down a certain plan of relief. Drowning men catch at straws. If there had been an instantaneous way out of the trouble, the message would have indicated it perhaps, for the pressure to that end had been very great on the President. Nothing came, and the distressed were disappointed.

All Mr. Van Buren could do was to make some provision for the future, and in that way, to some extent, mitigate present difficulties. It was known during the summer that the President would advance a new financial scheme, and its character was well enough understood to meet little favor from friend or foe. After giving his reasons vividly and convincingly against a national bank, and a connection of any kind on the part of the Government with banks, State or national, he set forth as carefully his reasons for the establishment of an Independent Treasury, placing the Government revenues in its own keeping, in its own vaults. This was the beginning of the effort to establish the present treasury system of the country; and was, in the light of this day, the first step toward the true mode of conducting the financial affairs of the Government.

This first message of President Van Buren very

largely refutes the charge of timidity, subserviency, and non-committalness made against him by his opponents, and even factions in his own party. The whole tenor of this message is national, and void of an element which would point to motives of personal advancement on the part of the President. He must have known, too, at least some of the probable effects of his position, here announced, on the great money question of the day. He had evidently consulted only the country's interests. In recommending the withholding of the deposits or gifts from the States, he was certainly not counting his chances of losing political prestige. His views arrayed against him the "pet banks," and, indeed, the entire banking interest of the Nation. Congress, by a small majority, rejected his treasury plan. The virtue there was in his financial views did not recommend itself until it was too late to secure his political interests.

Mr. Van Buren's inaugural address may have contained an appeal for the favor of the South, but it was plain and unequivocal. This first message appealed to what he believed to be the best interest of the whole country, for the country alone. This it shows on its face, and there is no evidence any place to the contrary. He had greatly excited the country, the Whigs certainly, and the banks, in not recalling the "specie circular," and increased the feeling of opposition to him after the 10th of May in a firmer demand for gold and silver in payments to the Government, and in refusing to accept the notes of the banks.

The smoothness and polish of Mr. Van Buren's messages, and most of his other writings, were, perhaps, owing to the finishing touch of his son John's better education, and, may be, sometimes that of B. F. Butler and others. Mr. Van Buren was no great scholar, but he was a close, observing student. Yet his public papers indicate more accurate and minute knowledge of the history of the country than he probably possessed, or had at his command at any moment. Of his suavity and polished manners in dealing with men, there could be no doubt. And Mr. Gillet, a very hot-headed partisan writer, thinks that the United States did not contain another man so fit as Van Buren to be Minister to Great Britain at the time he was rejected for that mission by the Senate.

Many of the party friends of Mr. Van Buren opposed his "Sub-Treasury" scheme, as it was called, as many of them had desired him to recall the "specie circular." A severe and heated discussion took place in both Houses, and the "Conservative Democrats," as a few were then undeservedly called, mainly fell into the Whig opposition.

At this time Congress contained an unusual number of able men, and these were arrayed against one another in the warm discussion on the President's recommendations. Strange as it may seem, Mr. Calhoun was numbered among the supporters of the Administration. With him were Silas Wright, Felix Grundy, William R. King, James Buchanan, Thomas H. Benton, C. C. Cambreleng, General Harmer, and

others. In the opposition were Clay, Crittenden, Bayard, Preston, Rives, John Q. Adams, Millard Fillmore, John Bell, Henry A. Wise, John Sergeant, and several other able men.

The first considerable conflict began on a bill to carry out the President's recommendation for an issue of treasury notes. But this bill was passed, few of the opposition leaders voting against it in the Senate. A bill to restrain the payment of the fourth installment to the States was also passed, but in the House by a bare majority of two votes. Of this foolish piece of legislation, Mr. Benton says :—

“ This was the end of one of the distribution schemes which had so long afflicted and disturbed Congress and the country. Those schemes began now to be known by their consequences, evil to those they were intended to benefit, and of no service to those whose popularity they were to augment. To the States the deposit proved to be an evil, in the contentions and combinations to which their disposition gave rise in the General Assemblies, in the objects to which they were applied, and the futility of the help which they afforded. Popularity hunting, on a national scale, gave birth to the schemes in Congress ; the same spirit, on a smaller and local scale, took them up in the States.

“ All sorts of plans were proposed for the employment of the money, and combinations more or less interested, or designing, generally carried the point in the universal scramble. In some States a *pro rata* division of the money, *per capita*, was made ; and the distributive share of each individual being but a few shillings, was received with contempt by some, and rejected with scorn by others. In other States it was divided among the coun-



ties, and gave rise to disjointed undertakings of no general benefit. Others, again, were stimulated by the unexpected acquisition of a large sum, to engage in large and premature works of internal improvement, embarrassing the State with debt, and commencing works which could not be finished. Other States, again, looking upon the deposit act as a legislative fraud to cover an unconstitutional and demoralizing distribution of public money to the people, refused for a long time to receive their proffered dividend, and passed resolutions of censure upon the authors of the act. And thus the whole policy worked out differently from what had been expected. The States and the people were not grateful for the favor; the authors of the act gained no Presidential election by it; and the gratifying fact became evident that the American people were not the degenerate Romans, or the volatile Greeks, to be seduced with their own money, to give their votes to men who lavished the public moneys on their wants or their pleasures, in grain to feed them, or in shows and games to delight and amuse them."

The bill introduced in the Senate by Silas Wright, for the establishment of the Independent Treasury ("Sub-Treasury"), although passed in the Senate after some changes, was not finally acted upon in the House, and was at last laid on the table by a small majority (120 to 107), having passed in the Senate by a vote of 26 to 20.

An attempt to pass a bankrupt act against the defaulting banks also failed to come to a vote; and Congress adjourned on the 16th of October, without doing anything wonderful for the relief of the country. Still the bill authorizing the issue of ten millions in Treasury notes for the relief of the

Government was, probably, as much as could have been expected at that time. A provision was also made for settling the claims with the banks, and \$1,600,000 were appropriated to carry on the Indian war in Florida.

## CHAPTER XVI.

MR. VAN BUREN'S FIRST ANNUAL MESSAGE—CONGRESS  
AND THE PRESIDENT—THE SUB-TREASURY.

DURING the fall elections it was very apparent that a tide had already set in against the Administration, which was not likely to be turned aside or stopped. Even New York City was carried by the Whigs. The loss of this stronghold was deemed a great misfortune to the Democracy. On the 4th of December, Congress met in regular session, and on the same day the President sent to both Houses his

## FIRST ANNUAL MESSAGE.

*December 4, 1837.*

FELLOW-CITIZENS OF THE SENATE AND HOUSE OF REPRESENTATIVES:—

WE have reason to renew the expression of our devout gratitude to the Giver of all good for his benign protection. Our country presents, on every side, the evidences of that continued favor under whose auspices it has gradually risen from a few feeble and dependent colonies to a prosperous and powerful confederacy. We are blessed with domestic tranquillity and all the elements of national prosperity. The pestilence which, invading for a time some flourishing portions of our Union, interrupted the general prevalence of unusual health, has happily been limited in extent, and arrested in its fatal career. The industry and prudence of our citizens are gradually relieving them from the pecuniary embarrassments under which portions of them have labored; judicious legislation and the

natural and boundless resources of the country have afforded wise and timely aid to private enterprise; and the activity always characteristic of our people has already, in a great degree, resumed its usual and profitable channels.

The condition of our foreign relations has not materially changed since the last annual message of my predecessor. We remain at peace with all nations; and no effort on my part, consistent with the preservation of our rights and the honor of our country, shall be spared to maintain a position so consonant to our institutions. We have faithfully sustained the foreign policy with which the United States, under the guidance of their first President, took their stand in the family of nations—that of regulating their intercourse with other powers by the approved principles of private life; asking and according equal rights and equal privileges; rendering and demanding justice in all cases; advancing their own, and discussing the pretensions of others, with candor, directness, and sincerity; appealing at all times to reason, but never yielding to force, nor seeking to acquire anything for themselves by its exercise.

A rigid adherence to this policy has left this Government with scarcely a claim upon its justice for injuries arising from acts committed by its authority. The most imposing and perplexing of those of the United States upon foreign governments for aggressions upon our citizens were disposed of by my predecessor. Independently of the benefits conferred upon our citizens by restoring to the mercantile community so many millions of which they had been wrongfully divested, a great service was also rendered to his country by the satisfactory adjustment of so many ancient and irritating subjects of contention; and it reflects no ordinary credit on his successful administration of public affairs, that this great object was accomplished without compromising, on any occasion, either the honor or the peace of the Nation.

With European powers, no new subjects of difficulty have arisen; and those which were under discussion, although not terminated, do not present a more unfavorable aspect for the future preservation of that good understanding which it has ever been our desire to cultivate.

Of pending questions, the most important is that which

exists with the government of Great Britain, in respect to our north-eastern boundary. It is with unfeigned regret that the people of the United States must look back upon the abortive efforts made by the Executive, for a period of more than half a century, to determine what no nation should suffer long to remain in dispute—the true line which divides its possessions from those of other powers. The nature of the settlements on the borders of the United States, and of the neighboring territory, was for a season such that this perhaps was not indispensable to a faithful performance of the duties of the Federal Government.

Time has, however, changed this state of things, and has brought about a condition of affairs in which the true interests of both countries imperatively require that this question should be put at rest. It is not to be disguised that, with full confidence often expressed, in the desire of the British government to terminate it, we are apparently as far from its adjustment as we were at the time of signing the treaty of peace in 1783. The sole result of long-pending negotiations, and a perplexing arbitration, appears to be a conviction, on its part, that a conventional line must be adopted, from the impossibility of ascertaining the true one according to the description contained in that treaty. Without coinciding in this opinion, which is not thought to be well founded, my predecessor gave the strongest proof of the earnest desire of the United States to terminate satisfactorily this dispute, by proposing the substitution of a conventional line, if the consent of the States interested in the question could be obtained.

To this proposition no answer has yet been received. The attention of the British government, however, has been earnestly invited to the subject, and its reply can not, I am confident, be much longer delayed. The general relations between Great Britain and the United States are of the most friendly character, and I am well satisfied of the sincere disposition of that government to maintain them upon the present footing. This disposition has also, I am persuaded, become more general with the people of England than at any previous period. It is scarcely necessary to say to you how cordially it is reciprocated by the Government and the people of the United States. The

conviction, which must be common to all, of the injurious consequences that result from keeping open this irritating question, and the certainty that its final settlement can not be much longer deferred, will, I trust, lead to an early and satisfactory adjustment. At your last session, I laid before you the recent communications between the two governments, and between this Government and that of the State of Maine, in whose solicitude concerning a subject in which she has so deep an interest every portion of the Union participates.

The feelings produced by a temporary interruption of those harmonious relations between France and the United States, which are due as well to the recollections of former times as to a correct appreciation of existing interests, have been happily succeeded by a cordial disposition on both sides to cultivate an active friendship in their future intercourse. The opinion, undoubtedly correct, and steadily entertained by us, that the commercial relations at present existing between the two countries are susceptible of great and reciprocally beneficial improvements, is obviously gaining ground in France; and I am assured of the disposition of that government to favor the accomplishment of such an object. This disposition shall be met in a proper spirit on our part. The few and comparatively unimportant questions that remain to be adjusted between us can, I have no doubt, be settled with entire satisfaction and without difficulty.

Between Russia and the United States sentiments of goodwill continue to be mutually cherished. Our Minister, recently accredited to that court, has been received with a frankness and cordiality, and with evidences of respect for his country, which leave us no room to doubt the preservation in future of those amicable and liberal relations which have so long and so uninterruptedly existed between the two countries. On the few subjects under discussion between us, an early and just decision is confidently anticipated.

A correspondence has been opened with the government of Austria for the establishment of diplomatic relations, in conformity with the wishes of Congress, as indicated by an appropriation act of the session of 1837, and arrangements made for the purpose, which will be duly carried into effect.



With Austria and Prussia, and with the states of the German Empire, now composing, with the latter, the Commercial League, our political relations are of the most friendly character, while our commercial intercourse is gradually extending, with benefit to all who are engaged in it.

Civil war yet rages in Spain, producing intense suffering to its own people, and to other nations inconvenience and regret. Our citizens who have claims upon that country will be prejudiced for a time by the condition of its treasury, the inevitable consequence of long-continued and exhausting internal wars. The last installment of the interest of the debt due under the convention with the Queen of Spain has not been paid; and similar failures may be expected to happen until a portion of the resources of her kingdom can be devoted to the extinguishment of its foreign debt.

Having received satisfactory evidence that discriminating tonnage duties were charged upon the vessels of the United States in the ports of Portugal, a proclamation was issued on the 11th day of October last, in compliance with the act of May 25, 1832, declaring that fact, and the duties on foreign tonnage which were levied upon Portuguese vessels in the United States previously to the passage of that act are accordingly revived.

The act of July 4, 1836, suspending the discriminating duties upon the produce of Portugal imported into this country in Portuguese vessels, was passed, upon the application of that government through its representative here, under the belief that no similar discrimination existed in Portugal to the prejudice of the United States. I regret to state that such duties are now exacted in that country upon the cargoes of American vessels; and as the act referred to vests no discretion in the Executive, it is for Congress to determine upon the expediency of further legislation upon the subject. Against these discriminations, affecting the vessels of this country and their cargoes, seasonable remonstrance was made, and notice was given to the Portuguese government, that unless they should be discontinued, the adoption of countervailing measures on the part of the United States would become necessary; but the reply of that government, received at the Department of State through

our chargé d'affaires at Lisbon, in the month of September last, afforded no ground to hope for the abandonment of a system so little in harmony with the treatment shown to the vessels of Portugal and their cargoes in the ports of this country, and so contrary to the expectations we had a right to entertain.

With Holland, Sweden, Denmark, Naples, and Belgium a friendly intercourse has been uninterruptedly maintained.

With the government of the Ottoman Porte, and its dependencies on the coast of the Mediterranean, peace and good-will are carefully cultivated, and have been fostered by such good offices as the relative distance and the condition of those countries would permit.

Our commerce with Greece is carried on under the laws of the two governments, reciprocally beneficial to the navigating interests of both; and I have reason to look forward to the adoption of other measures which will be more extensively and permanently advantageous.

Copies of the treaties concluded with the governments of Siam and Muscat are transmitted for the information of Congress, the ratifications having been received and the treaties made public since the close of the last annual session. Already have we reason to congratulate ourselves on the prospect of considerable commercial benefit; and we have, besides, received from the Sultan of Muscat prompt evidence of his desire to cultivate the most friendly feelings, by liberal acts toward one of our vessels, bestowed in a manner so striking as to require on our part a grateful acknowledgment.

Our commerce with the islands of Cuba and Porto Rico still labors under heavy restrictions, the continuance of which is a subject of regret. The only effect of an adherence to them will be to benefit the navigation of other countries at the expense both of the United States and Spain.

The independent nations of this continent have, ever since they emerged from the colonial state, experienced severe trials in their progress to the permanent establishment of liberal political institutions. Their unsettled condition not only interrupts their own advances to prosperity, but has often seriously injured the other powers of the world. The claims of our citizens upon Peru, Chili, Brazil, the Argentine Republic, the

governments formed out of the republics of Colombia, and Mexico, are still pending, although many of them have been presented for examination more than twenty years. New Grenada, Venezuela, and Ecuador have recently formed a convention for the purpose of ascertaining and adjusting the claims upon the Republic of Colombia, from which it is earnestly hoped our citizens will, ere long, receive full compensation for the injuries originally inflicted upon them, and for the delay in affording it.

An advantageous treaty of commerce has been concluded by the United States with the Peru-Bolivian Confederation, which wants only the ratification of that government. The progress of a subsequent negotiation for the settlement of claims upon Peru has been unfavorably affected by the war between that power and Chili, and the Argentine Republic; and the same event is also liable to produce delays in the settlement of our demands on those powers.

The aggravating circumstances connected with our claims upon Mexico, and a variety of events touching the honor and integrity of our government, led my predecessor to make, at the second session of the last Congress, a special recommendation of the course to be pursued to obtain a speedy and final satisfaction of the injuries complained of by this government and by our citizens. He recommended a final demand of redress, with a contingent authority to the Executive to make reprisals, if that demand should be made in vain. From the proceedings of Congress on that recommendation, it appeared that the opinion of both branches of the legislature coincided with that of the Executive, that any mode of redress known to the law of nations might justifiably be used. It was obvious, too, that Congress believed, with the President, that another demand should be made, in order to give undeniable and satisfactory proof of our desire to avoid extremities with a neighboring power; but that there was an indisposition to vest a discretionary authority in the Executive to take redress, should it unfortunately be either denied or unreasonably delayed by the Mexican government.

So soon as the necessary documents were prepared, after entering upon the duties of my office, a special messenger was

sent to Mexico, to make a final demand of redress, with the documents required by the provisions of our treaty. The demand was made on the 20th of July last. The reply, which bears date the 29th of the same month, contains assurances of a desire, on the part of that government, to give a prompt and explicit answer respecting each of the complaints, but that the examination of them would necessarily be deliberate; that, in this examination, it would be guided by the principles of public law and the obligation of treaties; that nothing should be left undone that might lead to the most speedy and equitable adjustment of our demands; and that its determination, in respect to each case, should be communicated through the Mexican Minister here.

Since that time, an envoy extraordinary and minister plenipotentiary has been accredited to this Government by that of the Mexican Republic. He brought with him assurances of a sincere desire that the pending differences between the two governments should be terminated in a matter satisfactory to both. He was received with reciprocal assurances, and a hope was entertained that his mission would lead to a speedy, satisfactory, and final adjustment of all existing subjects of complaint. A sincere believer in the wisdom of the pacific policy by which the United States have always been governed in their intercourse with foreign nations, it was my particular desire, from the proximity of the Mexican Republic, and well-known occurrences on our frontier, to be instrumental in obviating all existing difficulties with that government, and in restoring the intercourse between the two republics to that liberal and friendly character by which they should always be distinguished. I regret, therefore, the more deeply, to have found in the recent communications of that government, so little reason to hope that any future efforts of mine for the accomplishment of those desirable objects would be successful.

Although the larger number, and many of them aggravated cases of personal wrongs, have been now for years before the Mexican government, and some of the causes of national complaint, and those of the most offensive character, admitted of immediate, simple, and satisfactory replies, it is only within a few days past that any specific communication in answer to

our last demand, made five months ago, has been received from the Mexican Minister. By the report of the Secretary of State, herewith presented, and the accompanying documents, it will be seen that for not one of our public complaints has satisfaction been given or offered; and that but four cases of both descriptions, out of all those formally presented, and earnestly pressed, have as yet been decided upon by the Mexican government.

Not perceiving in what manner any of the powers given to the Executive alone could be further usefully employed in bringing this unfortunate controversy to a satisfactory termination, the subject was by my predecessor referred to Congress, as one calling for its interposition. In accordance with the clearly understood wishes of the Legislature, another and formal demand for satisfaction has been made upon the Mexican government, with what success the documents now communicated will show. On a careful and deliberate examination of their contents, and considering the spirit manifested by the Mexican government, it has become my painful duty to return the subject, as it now stands, to Congress, to whom it belongs, to decide upon the time, the mode, and the measures of redress. Whatever may be your decision, it shall be faithfully executed, confident that it will be characterized by that moderation and justice which will, I trust, under all circumstances, govern the counsels of our country.

The balance in the Treasury on the first day of January, 1837, was forty-five millions nine hundred and sixty-eight thousand five hundred and twenty-three dollars. The receipts during the present year, from all sources, including the amount of treasury-notes issued, are estimated at twenty-three millions four hundred and ninety-nine thousand nine hundred and eighty-one dollars, constituting an aggregate of sixty-nine millions four hundred and sixty-eight thousand, five hundred and four dollars. Of this amount, about thirty-five millions two hundred and eighty-one thousand three hundred and sixty-one dollars will have been expended, at the end of the year, on appropriations made by Congress; and the residue, amounting to thirty-four millions one hundred and eighty-seven thousand one hundred and forty-three dollars, will be the nominal



balance in the Treasury on the first of January next. But of that sum, only one million and eighty-five thousand four hundred and ninety-eight dollars is considered as immediately available for, and applicable to, public purposes.

Those portions of it which will be for some time unavailable consist chiefly of sums deposited with the States, and due from the former deposit banks. The details upon this subject will be found in the annual report of the Secretary of the Treasury. The amount of treasury-notes which it will be necessary to use during the year on account of those funds being unavailable, will, it is supposed, not exceed four and a half millions. It seemed proper, in the condition of the country, to have the estimates on all subjects made as low as practicable, without prejudice to any great public measures. The departments were therefore desired to prepare their estimates accordingly; and I am happy to find that they have been able to graduate them on so economical a scale.

In the great and often unexpected fluctuations to which the revenue is subjected, it is not possible to compute the receipts beforehand with great certainty; but should they not differ essentially from present anticipations, and should the appropriations not much exceed the estimates, no difficulty seems likely to happen in defraying the current expenses with promptitude and fidelity.

Notwithstanding the great embarrassments which have recently occurred in commercial affairs, and the liberal indulgence which, in consequence of these embarrassments, has been extended to both the merchants and the banks, it is gratifying to be able to anticipate that the treasury-notes, which have been issued during the present year, will be redeemed, and that the resources of the Treasury, without any resort to loans or increased taxes, will prove ample for defraying all charges imposed on it during 1838.

The report of the Secretary of the Treasury will afford you a more minute exposition of all matters connected with the administration of the finances during the current year; a period which, for the amount of public moneys disbursed and deposited with the States, as well as the financial difficulties encountered and overcome, has few parallels in our history.



Your attention was, at the last session, invited to the necessity of additional legislative provisions in respect to the collection, safe-keeping, and transfer of the public money. No law having been then matured, and not understanding the proceedings of Congress as intended to be final, it becomes my duty again to bring the subject to your notice.

On that occasion, three modes of performing this branch of the public service were presented for consideration. These were, the creation of a national bank; the revival, with modifications, of the deposit system established by the act of the 23d of June, 1836, permitting the use of the public moneys by the banks; and the discontinuance of the use of such institutions for the purposes referred to, with suitable provisions for their accomplishment through the agency of public officers. Considering the opinion of both Houses of Congress on the first two propositions as expressed in the negative, in which I entirely concur, it is unnecessary for me again to recur to them. In respect to the last, you have had an opportunity, since your adjournment, not only to attest still further the expediency of the measure by the continued practical operation of such parts of it as are now in force, but also to discover what should ever be sought for and regarded with the utmost deference—the opinions and wishes of the people.

The national will is the supreme law of the Republic, and on all subjects within the limits of its Constitutional powers, should be faithfully obeyed by the public servant. Since the measure in question was submitted to your consideration, most of you have enjoyed the advantage of personal communication with your constituents. For one State only has an election been held for the Federal Government; but the early day at which it took place, deprives the measure under consideration of much of the support it might otherwise have derived from the result. Local elections for State officers have, however, been held in several of the States, at which the expediency of the plan proposed by the Executive has been more or less discussed. You will, I am confident, yield to their results the respect due to every expression of the public voice. Desiring, however, to arrive at truth and a just view of the subject in all its bearings, you will at the same time remember

that questions of far deeper and more immediate local interest than the fiscal plans of the National Treasury were involved in those elections.

Above all, we can not overlook the striking fact that there were, at the time, in those States, more than one hundred and sixty millions of bank capital, of which large portions were subject to actual forfeiture—other large portions upheld only by special and limited legislative indulgences—and most of it, if not all, to a greater or less extent, dependent for a continuance of its corporate existence upon the will of the State Legislatures to be then chosen. Apprised of this circumstance, you will judge whether it is not most probable that the peculiar condition of that vast interest in these respects, the extent to which it has been spread through all the ramifications of society, its direct connection with the then pending elections, and the feelings it was calculated to infuse into the canvass, have not exercised a far greater influence over the result than any which could possibly have been produced by a conflict of opinion in respect to a question in the administration of the General Government, more remote and far less important in its bearings upon that interest.

I have found no reason to change my own opinion as to the expediency of adopting the system proposed, being perfectly satisfied that there will be neither stability nor safety, either in the fiscal affairs of the Government, or in the pecuniary transactions of individuals and corporations, so long as a connection exists between them, which, like the past, offers such strong inducements to make them the subjects of political agitation. Indeed, I am more than ever convinced of the dangers to which the free and unbiased exercise of political opinion—the only sure foundation and safeguard of republican government—would be exposed by any further increase of the already overgrown influence of corporate authorities. I can not, therefore, consistently with my views of duty, advise a renewal of a connection which circumstances have dissolved.

The discontinuance of the use of State banks for fiscal purposes ought not to be regarded as a measure of hostility towards those institutions. Banks, properly established and conducted, are highly useful to the business of the country, and

doubtless will continue to exist in the States so long as they conform to their laws, and are found to be safe and beneficial. How they should be created, what privileges they should enjoy, under what responsibilities they should act, and to what restrictions they should be subject, are questions which, as I observed on a previous occasion, belong to the States to decide. Upon their rights, or the exercise of them, the General Government can have no motive to encroach. Its duty toward them is well performed, when it refrains from legislating for their especial benefit, because such legislation would violate the spirit of the Constitution, and be unjust to other interests; when it takes no steps to impair their usefulness, but so manages its own affairs as to make it the interest of those institutions to strengthen and improve their condition for the security and welfare of the community at large. They have no right to insist on a connection with the Federal Government, nor on the use of the public money for their own benefit.

The object of the measure under consideration is to avoid for the future a compulsory connection of this kind. It proposes to place the General Government, in regard to the essential points of the collection, safe-keeping, and transfer of the public money, in a situation which shall relieve it from all dependence on the will of irresponsible individuals or corporations; to withdraw those moneys from the uses of private trade, and confine them to agents Constitutionally selected and controlled by law; to abstain from improper interference with the industry of the people, and withhold inducements to improvident dealings on the part of individuals; to give stability to the concerns of the Treasury; to preserve the measures of the Government from the unavoidable reproaches that flow from such a connection, and the banks themselves from the injurious effects of a supposed participation in the political conflicts of the day, from which they will otherwise find it difficult to escape.

These are my views upon this important subject, formed after careful reflection, and with no desire but to arrive at what is most likely to promote the public interest. They are now, as they were before, submitted with an unfeigned deference for the opinions of others. It was hardly to be hoped that changes so

important, on a subject so interesting, could be made without producing a serious diversity of opinion; but so long as those conflicting views are kept above the influence of individual or local interests; so long as they pursue only the general good, and are discussed with moderation and candor, such diversity is a benefit, not an injury. If a majority of Congress see the public welfare in a different light, and, more especially, if they should be satisfied that the measure proposed would not be acceptable to the people, I shall look to their wisdom to substitute such as may be more conducive to the one, and more satisfactory to the other. In any event, they may confidently rely on my hearty co-operation to the fullest extent which my views of the Constitution and my sense of duty will permit.

It is obviously important to this branch of the public service, and to the business and quiet of the country, that the whole subject should in some way be settled and regulated by law; and, if possible, at your present session. Besides the plan above referred to, I am not aware that any one has been suggested, except that of keeping the public money in the State banks, in special deposit. This plan is, to some extent, in accordance with the practice of the Government, and with the present arrangements of the Treasury Department, which, except, perhaps during the operation of the late deposit act, has always been allowed, even during the existence of a national bank, to make a temporary use of the State banks, in particular places, for the safe-keeping of portions of the revenue.

This discretionary power might be continued, if Congress deem it desirable, whatever general system may be adopted. So long as the connection is voluntary, we need, perhaps, anticipate few of those difficulties, and little of that dependence on the banks which must attend every such connection when compulsory in its nature, and when so arranged as to make the banks a fixed part of the machinery of Government. It is undoubtedly in the power of Congress so to regulate and guard it as to prevent the public money from being applied to the use, or intermingled with the affairs, of individuals. Thus arranged, although it would not give to the Government that

entire control over its own funds which I desire to secure to it by the plan I have proposed, it would, it must be admitted, in a great degree accomplish one of the objects which has recommended that plan to my judgment—the separation of the fiscal concerns of the Government from those of individuals or corporations.

With these observations, I recommend the whole matter to your dispassionate reflection, confidently hoping that some conclusion may be reached by your deliberations, which, on the one hand, shall give stability to the fiscal operations of the Government, and be consistent, on the other, with the genius of our institutions, and with the interests and wishes of the great mass of our constituents.

It was my hope that nothing would occur to make necessary, on this occasion, any allusion to the late National Bank. There are circumstances, however, connected with the present state of its affairs, that bear so directly on the character of the Government and the welfare of the citizen, that I should not feel myself excused in neglecting to notice them. The charter which terminated its banking privileges on the fourth of March, 1836, continued its corporate powers two years more, for the sole purpose of closing its affairs, with authority “to use the corporate name, style, and capacity, for the purpose of suits for a final settlement and liquidation of the affairs and acts of the corporation, and for the sale and disposition of their estate, real, personal, and mixed, but for no other purpose or in any other manner whatsoever.” Just before the banking privileges ceased, its effects were transferred by the bank to a new State institution, then recently incorporated, in trust, for the discharge of its debts and the settlement of its affairs.

With this trustee, by authority of Congress, an adjustment was subsequently made of the large interest which the Government had in the stock of the institution. The manner in which a trust unexpectedly created upon the act granting the charter, and involving such great public interests, has been executed, would, under any circumstances, be a fit subject of inquiry; but much more does it deserve your attention when it embraces the redemption of obligations to which the author-



ity and credit of the United States have given value. The two years allowed are now nearly at an end. It is well understood that the trustee has not redeemed and canceled the outstanding notes of the bank, but has reissued, and is actually reissuing, since the 3d of March, 1836, the notes which have been received by it, to a vast amount.

According to its own official statement, so late as the first of October last, nineteen months after the banking privileges given by the charter had expired, it had under its control uncanceled notes of the late Bank of the United States to the amount of twenty-seven millions five hundred and sixty-one thousand eight hundred and sixty-six dollars, of which six millions one hundred and seventy-five thousand eight hundred and sixty-one dollars were in actual circulation, one million four hundred and sixty-eight thousand six hundred and twenty-seven dollars at State bank agencies, and three millions two thousand three hundred and ninety dollars *in transitu*; thus showing that upwards of ten millions and a half of the notes of the old bank were then still kept outstanding.

The impropriety of this procedure is obvious; it being the duty of the trustee to cancel, and not to put forth the notes of an institution, whose concerns it had undertaken to wind up. If the trustee has a right to reissue these notes now, I can see no reason why he may not continue to do so after the expiration of the two years. As no one could have anticipated a course so extraordinary, the prohibitory clause of the charter above quoted was not accompanied by any penalty or other special provision for enforcing it; nor have we any general law for the prevention of similar acts in future.

But it is not in this view of the subject alone that your interposition is required. The United States, in settling with the trustee for their stock, have withdrawn their funds from their former direct liability to the creditors of the old bank, yet notes of the institution continue to be sent forth in its name, and apparently upon the authority of the United States. The transactions connected with the employment of the bills of the old bank are of vast extent; and should they result unfortunately, the interest of individuals may be deeply compromised. Without undertaking to decide how far, or in what



form, if any, the trustee could be made liable for notes which contain no obligation on his part; or the old bank, for such as are put in circulation after the expiration of its charter, and without its authority; or the Government, for indemnity in case of loss, the question still presses itself upon your consideration, whether it is consistent with duty and good faith on the part of the Government to witness this proceeding without a single effort to arrest it.

The report of the Commissioner of the General Land Office, which will be laid before you by the Secretary of the Treasury, will show how the affairs of that office have been conducted for the past year. The disposition of the public lands is one of the most important trusts confided to Congress. The practicability of retaining the title and control of such extensive domains in the General Government, and at the same time admitting the Territories embracing them into the Federal Union, as coequal with the original States, was seriously doubted by many of our wisest statesmen. All feared that they would become a source of discord, and many carried their apprehensions so far as to see in them seeds of a future dissolution of the Confederacy. But happily our experience has already been sufficient to quiet, in a great degree, all such apprehensions. The position, at one time assumed—that the admission of new States into the Union on the same footing with the original States, was incompatible with the right of soil in the United States, and operated as a surrender thereof, notwithstanding the terms of the compacts by which their admission was designed to be regulated—has been wisely abandoned.

Whether in the new or the old States, all now agree that the right of soil to the public lands remains in the Federal Government, and that these lands constitute a common property to be disposed of for the common benefit of all the States, old and new. Acquiescence in this just principle by the people of the new States has naturally promoted a disposition to adopt the most liberal policy in the sale of the public lands. A policy which should be limited to the mere object of selling the lands for the greatest possible sum of money, without regard to higher considerations, finds but few advo-

cates. On the contrary, it is generally conceded, that while the mode of distribution adopted by the Government should always be a prudent one, yet its leading object ought to be the early settlement and cultivation of the lands sold; and that it should discountenance, if it can not prevent, the accumulation of large tracts in the same hands, which must retard the growth of the new States, or entail upon them a dependent tenantry and its attendant evils.

A question embracing such important interests, and so well calculated to enlist the feeling of the people in every quarter of the Union, has very naturally given rise to numerous plans for the improvement of the existing system. The distinctive features of the policy that has hitherto prevailed are, to dispose of the public lands at moderate prices, thus enabling a greater number to enter into competition for their purchase, and accomplishing the double object of promoting their rapid settlement by the purchasers, and at the same time increasing the receipts of the Treasury; to sell for cash, thereby preventing the disturbing influence of a large mass of private citizens indebted to the Government which they have a voice in controlling; to bring them into market no faster than good lands are supposed to be wanted for improvements, thereby preventing the accumulation of large tracts in few hands; and to apply the proceeds of the sales to the general purposes of the Government; thus diminishing the amount to be raised from the people of the States by taxation, and giving each State its portion of the benefits to be derived from the common fund, in a manner the most quiet, and at the same time, perhaps, the most equitable, that can be devised.

These provisions, with occasional enactments in behalf of special interests deemed entitled to the favor of Government, have, in their execution, produced results as beneficial, upon the whole, as could reasonably be expected in a matter so vast, so complicated, and so exciting. Upward of seventy millions of acres have been sold, the greater part of which is believed to have been purchased for actual settlement. The population of the new States and Territories created out of the public domain increased, between 1800 and 1830, from less than sixty thousand to upward of two millions three hundred

thousand souls, constituting, at the latter period, about one-fifth of the whole people of the United States. The increase since can not be accurately known, but the whole may now be safely estimated at over three and a half millions of souls; composing nine States, the Representatives of which constitute above one-third of the Senate, and over one-sixth of the House of Representatives, of the United States.

Thus has been formed a body of free and independent landholders, with a rapidity unequaled in the history of mankind; and this great result has been produced without leaving anything for future adjustment between the Government and the citizens. The system under which so much has been accomplished can not be intrinsically bad, and with occasional modifications, to correct abuses and adapt it to changes of circumstances, may, I think, be safely trusted for the future. There is, in the management of such extensive interests, much virtue in stability; and although great and obvious improvements should not be declined, changes should never be made without the fullest examination, and the clearest demonstration of their practical utility.

In the history of the past, we have an assurance that this safe rule of action will not be departed from in relation to the public lands; nor is it believed that any necessity exists for interfering with the fundamental principles of the system, or that the public mind, even in the new States, is desirous of any radical alterations. On the contrary, the general disposition appears to be, to make such modifications and additions only as will the more effectually carry out the original policy of filling our new States and Territories with an industrious and independent population.

The modification most perseveringly pressed upon Congress, which has occupied so much of its time for years past, and will probably do so for a long time to come, if not sooner satisfactorily adjusted, is a reduction in the cost of such portions of the public lands as are ascertained to be unsalable at the rate now established by law, and a graduation, according to their relative value, of the prices at which they may hereafter be sold. It is worthy of consideration whether justice may not be done to every interest in this matter, and a vexed question

set at rest, perhaps forever, by a reasonable compromise of conflicting opinions. Hitherto, after being offered at public sale, lands have been disposed of at one uniform price, whatever difference there might be in their intrinsic value.

The leading considerations urged in favor of the measure referred to are, that in almost all the land districts, and particularly in those in which the lands have been long surveyed and exposed to sale, there are still remaining numerous and large tracts of every gradation of value, from the Government price downward; that these lands will not be purchased at the Government price, so long as better can be conveniently obtained for the same amount; that there are large tracts which even the improvements of the adjacent lands will never raise to that price; and that the present uniform price, combined with their irregular value, operates to prevent a desirable compactness of settlement in the new States, and to retard the full development of that wise policy on which our land system is founded, to the injury not only of the several States where the lands lie, but of the United States as a whole.

The remedy proposed has been a reduction in prices according to the length of time the lands have been in market, without reference to any other circumstances. The certainty that the efflux of time would not always, in such cases, and perhaps not even generally, furnish a true criterion of value; and the probability that persons residing in the vicinity, as the period for the reduction of prices approached, would postpone purchases they would otherwise make, for the purpose of availing themselves of the lower price, with other considerations of a similar character, have hitherto been successfully urged to defeat the graduation upon time.

May not all reasonable desires upon this subject be satisfied without encountering any of these objections? All will concede the abstract principle, that the price of the public lands should be proportioned to their relative value, so far as that can be accomplished without departing from the rule heretofore observed, requiring fixed prices in cases of private entries. The difficulty of the subject seems to lie in the mode of ascertaining what that value is. Would not the safest plan be that which has been adopted by many of the States as the basis of

taxation—an actual valuation of lands, and classification of them into different rates?

Would it not be practicable and expedient to cause the relative value of the public lands in the old districts, which have been for a certain length of time in market, to be appraised and classed into two or more rates below the present minimum price, by the officers now employed in this branch of the public service, or in any other mode deemed preferable, and to make those prices permanent, if upon the coming in of the report they shall prove satisfactory to Congress? Can not all the objects of graduation be accomplished in this way, and the objections which have hitherto been urged against it avoided? It would seem to me that such a step, with a restriction of the sales to limited quantities, and for actual improvement, would be free from all just exceptions.

By the full exposition of the value of the lands thus furnished and extensively promulgated, persons living at a distance would be informed of their true condition, and enabled to enter into competition with those residing in the vicinity; the means of acquiring an independent home would be brought within the reach of many who are unable to purchase at present prices; the population of the new States would be made more compact; and large tracts would be sold which would otherwise remain on hand; not only would the land be brought within the means of a large number of purchasers, but many persons possessed of greater means would be content to settle on a larger quantity of the poorer lands, rather than emigrate further west in pursuit of a smaller quantity of better lands.

Such a measure would also seem to be more consistent with the policy of the existing laws—that of converting the public domain into cultivated farms owned by their occupants. That policy is not best promoted by sending emigration up the almost interminable streams of the West, to occupy in groups the best spots of land, leaving immense wastes behind them, and enlarging the frontier beyond the means of the Government to afford it adequate protection; but in encouraging it to occupy, with reasonable denseness, the territory over which it advances, and find its best defense in the compact front which it presents



to the Indian tribes. Many of you will bring to the consideration of the subject the advantages of local knowledge and greater experience, and all will be desirous of making an early and final disposition of every disturbing question in regard to this important interest. If these suggestions shall in any degree contribute to the accomplishment of so important a result, it will afford me sincere satisfaction.

In some sections of the country most of the public lands have been sold, and the registers and receivers have very little to do. It is a subject worthy of inquiry whether, in many cases, two or more districts may not be consolidated, and the number of persons employed in this business considerably reduced. Indeed, the time will come when it will be the true policy of the General Government, as to some of the States, to transfer to them, for a reasonable equivalent, all the refuse and unsold lands, and to withdraw the machinery of the federal land offices altogether. All who take a comprehensive view of our federal system, and believe that one of its greatest excellences consists in interfering as little as possible with the internal concerns of the States, look forward with great interest to this result.

A modification of the existing laws in respect to the prices of the public lands might also have a favorable influence on the legislation of Congress in relation to another branch of the subject. Many who have not the ability to buy at present prices settle on those lands with the hope of acquiring from their cultivation the means of purchasing under pre-emption laws from time to time passed by Congress. For this encroachment on the rights of the United States they excuse themselves under the plea of their own necessities, the fact that they dispossess nobody, and only enter upon the waste domain; that they give additional value to the public lands in their vicinity; and their intention ultimately to pay the Government price. So much weight has, from time to time, been attached to these considerations, that Congress have passed laws giving actual settlers on the public lands a right of pre-emption to the tracts occupied by them, at the minimum price.

These laws have in all instances been retrospective in their operation; but in a few years after their passage crowds of new



settlers have been found on the public lands, for similar reasons and under like expectations, who have been indulged with the same privileges. This course of legislation tends to impair public respect for the laws of the country. Either the laws to prevent intrusion upon the public lands should be executed, or, if that should be impracticable or inexpedient, they should be modified or repealed. If the public lands are to be considered as open to be occupied by any, they should, by law, be thrown open to all.

That which is intended, in all instances, to be legalized, should at once be made legal, that those who are disposed to conform to the laws may enjoy at least equal privileges with those who are not. But it is not believed to be the disposition of Congress to open the public lands to occupancy without regular entries and payment of the Government price, as such a course must tend to worse evils than the credit system, which it was found necessary to abolish.

It would seem, therefore, to be the part of wisdom and sound policy to remove, as far as practicable, the causes which produce intrusions upon the public lands, and then take efficient steps to prevent them in future. Would any single measure be so effective in removing all plausible grounds for those intrusions as the graduation of price already suggested? A short period of industry and economy in any part of our country would enable the poorest citizen to accumulate the means to buy him a home at the lowest prices, and leave him without apology for settling on lands not his own. If he did not, under such circumstances, he would enlist no sympathy in his favor; the laws would be readily executed without doing violence to public opinion.

A large portion of our citizens have seated themselves on the public lands without authority, since the passage of the last pre-emption law, and now ask the enactment of another, to enable them to retain the lands occupied, upon payment of the minimum Government price. They ask that which has been repeatedly granted before. If the future may be judged of by the past, little harm can be done to the interests of the Treasury by yielding to their request. Upon a critical examination, it is found that the lands sold at the public sales since

the introduction of cash payments in 1820, have produced, on an average, the net revenue of only six cents an acre more than the minimum Government price. There is no reason to suppose that future sales will be more productive. The Government, therefore, has no adequate pecuniary interest to induce it to drive these people from the lands they occupy, for the purpose of selling them to others.

Entertaining these views, I recommend the passage of a pre-emption law for their benefit, in connection with the preparatory steps toward the graduation of the price of the public lands, and further and more effectual provisions to prevent intrusions hereafter. Indulgence to those who have settled on these lands with expectations that past legislation would be made a rule for the future, and at the same time removing the most plausible ground on which intrusions are excused, and adopting more efficient means to prevent them hereafter, appears to me the most judicious disposition which can be made of this difficult subject. The limitations and restrictions to guard against abuses in the execution of the pre-emption law will necessarily attract the careful attention of Congress; but under no circumstances is it considered expedient to authorize floating claims in any shape. They have been heretofore, and doubtless would be hereafter, most prolific sources of fraud and oppression; and instead of operating to confer the favor of the Government on industrious settlers, are often used only to minister to a spirit of cupidity at the expense of the most meritorious of that class.

The accompanying report of the Secretary of War will bring to your view the state of the army, and all the various subjects confided to the superintendence of that officer.

The principal part of the army has been concentrated in Florida, with a view and in the expectation of bringing the war in that territory to a speedy close. The necessity of stripping the posts on the maritime and inland frontiers of their entire garrisons, for the purpose of assembling in the field an army of less than four thousand men, would seem to indicate the necessity of increasing our regular forces; and the superior efficiency, as well as greatly diminished expense of that description of troops, recommend this measure as one of economy

as well as of expediency. I refer to the report for the reasons which have induced the Secretary of War to urge the reorganization and enlargement of the staff of the army, and of the ordnance corps, in which I fully concur.

It is not, however, compatible with the interests of the people to maintain, in time of peace, a regular force adequate to the defense of our extensive frontiers. In periods of danger and alarm, we must rely principally upon a well-organized militia; and some general arrangement that will render this description of force more efficient has long been a subject of anxious solicitude. It was recommended to the first Congress by General Washington, and has since been frequently brought to your notice, and recently its importance strongly urged by my immediate predecessor. The provision in the Constitution that renders it necessary to adopt a uniform system of organization for the militia throughout the United States, presents an insurmountable obstacle to an efficient arrangement by the classification heretofore proposed; and I invite your attention to the plan which will be submitted by the Secretary of War, for the organization of volunteer corps, and the instruction of militia officers, as more simple and practicable, if not equally advantageous, as a general arrangement of the whole militia of the United States.

A moderate increase of the corps, both of military and topographical engineers, has been more than once recommended by my predecessor; and my conviction of the propriety, not to say necessity, of the measure, in order to enable them to perform the various and important duties imposed upon them, induces me to repeat the recommendation.

The military academy continues to answer all the purposes of its establishment; and not only furnishes well-educated officers of the army, but serves to diffuse throughout the mass of our citizens individuals possessed of military knowledge, and the scientific attainments of civil and military engineering. At present the cadet is bound, with the consent of his parents or guardians, to remain in service five years from the period of his enlistment, unless sooner discharged; thus exacting only one year's service in the army after his education is completed. This does not appear to me sufficient. Government ought to

command for a longer period the services of those who are educated at the public expense; and I recommend that the time of enlistment be extended to seven years, and the terms of the engagement strictly enforced.

The creation of a national foundry for cannon, to be common to the service of the army and navy of the United States, has been heretofore recommended, and appears to be required, in order to place our ordnance on an equal footing with that of other countries, and to enable that branch of the service to control the prices of those articles, and graduate the supplies to the wants of the Government, as well as to regulate their quality and insure their uniformity. The same reasons induce me to recommend the erection of a manufactory of gunpowder, to be under the direction of the ordnance office. The establishment of a manufactory of small arms west of the Alleghany Mountains, upon the plan proposed by the Secretary of War, will contribute to extend throughout that country the improvements which exist in establishments of a similar description in the Atlantic States, and tend to a much more economical distribution of the armament required in the western portion of our Union.

The system of removing the Indians west of the Mississippi, commenced by Mr. Jefferson in 1804, has been steadily persevered in by every succeeding President, and may be considered the settled policy of the country. Unconnected at first with any well-defined system for their improvement, the inducements held out to the Indians were confined to the greater abundance of game to be found in the West; but when the beneficial effects of their removal were made apparent, a more philanthropic and enlightened policy was adopted, in purchasing their lands east of the Mississippi. Liberal prices were given, and provisions inserted in all the treaties with them for the application of the funds they received in exchange to such purposes as were best calculated to promote their present welfare, and advance their future civilization. These measures have been attended thus far with the happiest results.

It will be seen, by referring to the report of the commissioner of Indian affairs, that the most sanguine expectations of the friends and promoters of this system have been realized.

The Choctaws, Cherokees, and other tribes, that first emigrated beyond the Mississippi have, for the most part, abandoned the hunter state, and become cultivators of the soil. The improvement in their condition has been rapid, and it is believed that they are now fitted to enjoy the advantages of a simple form of government, which has been submitted to them and received their sanction; and I can not too strongly urge this subject upon the attention of Congress.

Stipulations have been made with all the Indian tribes to remove them beyond the Mississippi, except with the band of the Wyandots, the Six Nations, in New York; the Menomonees, Mandans, and Stockbridges, in Wisconsin; and Miamis, in Indiana. With all but the Menomonees, it is expected that arrangements for their emigration will be completed the present year. The resistance which has been opposed to their removal by some of the tribes, even after treaties had been made with them to that effect, has arisen from various causes, operating differently on each of them. In most instances, they have been instigated to resistance by persons to whom the trade with them and the acquisition of their annuities were important; and in some by the personal influence of interested chiefs. These obstacles must be overcome; for the Government can not relinquish the execution of this policy without sacrificing important interests, and abandoning the tribes remaining east of the Mississippi to certain destruction.

The decrease in numbers of the tribes within the limits of the States and Territories has been most rapid. If they be removed, they can be protected from those associations and evil practices which exert so pernicious and destructive an influence over their destinies. They can be induced to labor, and to acquire property, and its acquisition will inspire them with a feeling of independence. Their minds can be cultivated, and they can be taught the value of salutary and uniform laws, and be made sensible of the blessings of free government, and capable of enjoying its advantages. In the possession of property, knowledge, and a good government, free to give what direction they please to their labor, and sharers in the legislation by which their persons and the profits of their industry are to be protected and secured, they will have an



ever-present conviction of the importance of union, of peace among themselves, and of the preservation of amicable relations with us. The interests of the United States would also be greatly promoted by freeing the relations between the General and State Governments, from what has proved a most embarrassing incumbrance, by a satisfactory adjustment of conflicting titles to lands, caused by the occupation of the Indians, and by causing the resources of the whole country to be developed by the power of the State and General Governments, and improved by the enterprise of a white population.

Intimately connected with this subject is the obligation of the Government to fulfill its treaty stipulations, and to protect the Indians thus assembled "at their new residences from all interruptions and disturbances from any other tribes or nations of Indians, or from any other person or persons whatsoever," and the equally solemn obligation to guard from Indian hostilities its own border settlements stretching along a line of more than one thousand miles. To enable the Government to redeem this pledge to the Indians and to afford adequate protection to its own citizens, will require the continual presence of a considerable regular force on the frontiers, and the establishment of a chain of permanent posts. Examinations of the country are now making, with a view to decide on the most suitable points for the erection of fortresses and other works of defense, the results of which will be presented to you by the Secretary of War at an early day, together with a plan for the effectual protection of the friendly Indians, and the permanent defense of the frontier States.

By the report of the Secretary of the Navy, herewith communicated, it appears that unremitting exertions have been made at the different navy-yards, to carry into effect all authorized measures for the extension and employment of our naval force. The launching and preparation of the ship-of-the-line *Pennsylvania*, and the complete repairs of the ships-of-the-line *Ohio*, *Delaware*, and *Columbus*, may be noticed, as forming a respectable addition to this important arm of our national defense. Our commerce and navigation have received increased aid and protection during the present year. Our squadrons in the Pacific and on the Brazilian station have been much



increased, and that in the Mediterranean, although small, is adequate to the present wants of our commerce in that sea. Additions have been made to our squadron on the West India station, where the large force under Commodore Dallas has been most actively and efficiently employed in protecting our commerce, in preventing the importation of slaves, and in co-operating with the officers of the army in carrying on the war in Florida.

The satisfactory condition of our naval force abroad leaves at our disposal the means of conveniently providing for a home squadron, for the protection of commerce upon our extensive coast. The amount of appropriations required for such a squadron will be found in the general estimates for the naval service, for the year 1838.

The naval officers engaged upon our coast survey, have rendered important service to our navigation. The discovery of a new channel into the harbor of New York, through which our largest ships may pass without danger, must afford important commercial advantages to that harbor, and add greatly to its value as a naval station. The accurate survey of George's Shoals, off the coast of Massachusetts, lately completed, will render comparatively safe a navigation hitherto considered dangerous.

Considerable additions have been made to the number of captains, commanders, lieutenants, surgeons, and assistant surgeons, in the navy. These additions were rendered necessary by the increased number of vessels put in commission, to answer the exigencies of our growing commerce.

Your attention is respectfully invited to the various suggestions of the Secretary, for the improvement of the naval service.

The report of the Postmaster-General exhibits the progress and condition of the mail service. The operations of the Post-office Department constitute one of the most active elements of our national prosperity, and it is gratifying to observe with what vigor they are conducted. The mail routes of the United States cover an extent of about one hundred and forty-two thousand eight hundred and seventy-seven miles, having been increased about thirty-seven thousand one hundred and

three miles within the last two years. The annual mail transportation on these routes is about thirty-six millions two hundred and twenty-eight thousand nine hundred and sixty-two miles, having been increased about ten millions three hundred and fifty-nine thousand four hundred and seventy-six miles within the same period. The number of post-offices has also been increased from ten thousand seven hundred and seventy, to twelve thousand and ninety-nine, very few of which receive the mails less than once a week, and a large portion of them daily. Contractors and postmasters in general are represented as attending to their duties with most commendable zeal and fidelity. The revenue of the Department within the year ending on the 30th of June last was four millions one hundred and thirty-seven thousand and fifty-six dollars, fifty-nine cents; and its liabilities accruing within the same time, were three millions three hundred and eighty thousand eight hundred and forty-seven dollars and seventy-five cents. The increase of revenue over that of the preceding year was seven hundred and eighty thousand one hundred and sixty-six dollars and forty-one cents. For many interesting details, I refer you to the report of the Postmaster-General, with the accompanying paper. Your particular attention is invited to the necessity of providing a more safe and convenient building for the accommodation of that Department.

I lay before Congress copies of reports, submitted in pursuance of a call made by me upon the heads of Departments, for such suggestions as their experience might enable them to make, as to what further legislative provisions may be advantageously adopted to secure the faithful application of public moneys to the objects for which they are appropriated; to prevent their misapplication or embezzlement by those intrusted with the expenditure of them; and, generally, to increase the security of the Government against losses in their disbursement. It is needless to dilate on the importance of providing such new safeguards as are within the power of legislation to promote these ends; and I have little to add to the recommendations submitted in the accompanying papers.

By law, the terms of service of our most important collecting and disbursing officers in the civil departments are limited

to four years, and when reappointed, their bonds are required to be renewed. The safety of the public is much increased by this feature of the law, and there can be no doubt that its application to all officers intrusted with the collection or disbursement of the public money, whatever may be the tenure of their offices, would be equally beneficial. I therefore recommend, in addition to such of the suggestions presented by the heads of the departments as you may think useful, a general provision that all officers of the army or navy, or in the Civil Department, intrusted with the receipt or payment of the public money, and whose term of service is either unlimited or for a longer time than four years, be required to give bonds, with good and sufficient securities, at the expiration of every such period.

A change in the period of terminating the fiscal year, from the first of October to the first of April, has been frequently recommended, and appears to be desirable.

The distressing casualties in steamboats, which have so frequently happened during the year, seems to evince the necessity of attempting to prevent them by means of severe provisions connected with their custom-house papers. This subject was submitted to the attention of Congress by the Secretary of the Treasury in his last annual report, and will be again noticed at the present session, with additional details. It will doubtless receive that early and careful consideration which its pressing importance appears to require.

Your attention has heretofore been frequently called to the affairs of the District of Columbia, and I should not again ask it, did not their entire dependence on Congress give them a constant claim upon its notice. Separated by the Constitution from the rest of the Union, limited in extent, and aided by no Legislature of its own, it would seem to be a spot where a wise and uniform system of local government might have been easily adopted.

This District, however, unfortunately, has been left to linger behind the rest of the Union; its codes, civil and criminal, are not only very defective, but full of obsolete or inconvenient provisions; being formed of portions of two States, discrepancies in the laws prevail in different parts of the

territory, small as it is; and although it was selected as the seat of the General Government, the site of its public edifices, the depository of its archives, and the residence of officers intrusted with large amounts of public property and the management of public business, yet it has never been subjected to, or received, that special and comprehensive legislation which these circumstances peculiarly demand.

I am well aware of the various subjects of greater magnitude and immediate interest, that press themselves on the consideration of Congress; but I believe there is not one that appeals more directly to its justice than a liberal and even generous attention to the interests of the District of Columbia, and a thorough and careful revision of its local government.

This fair and unpretentious message, while it takes no startling position, continues well and satisfactorily the Presidential or Administration history of the country, and deals without timidity with the subjects at hand. The "Independent Treasury" is again urged upon the attention of Congress, but with no additional confidence in its correctness. An equitable pre-emption law is recommended; and the need of some increase in the army suggested, owing to the extraordinary demands in Florida. The old Bank of the United States, which hardly deserved then any mercy, also receives needful attention.

The great interest in Congress at this time centered in the "Sub-Treasury Bill." Mr. Calhoun, having favored the measure at the special session, now took its side. During the greater part of General Jackson's Administration, he had stood with Mr. Clay in the opposition; but now these two able and belligerent politicians were arrayed against

each other. Mr. Calhoun really belonged among the Democrats, but he did not return to them without his motives and purposes being suspected. He became friendly with Mr. Van Buren; but his course was censured in the debates in the Senate, and the Whig newspapers accused him of maneuvering for the succession.

The "Independent Treasury" scheme was not an invention of Mr. Van Buren, more, perhaps, than "The Monroe Doctrine" was of Mr. Monroe. It was, of course, suggested by, or founded upon, the foreign plan. Mr. Clay attributed it to General Jackson, thus giving the General credit for more statesman-like ability than he had ever before acknowledged him to possess.

The fact is that Mr. Gordon, of Virginia, had, in 1834, proposed substantially the "Sub-Treasury" project, and it then met the decided opposition of the Administration and its friends. Nor was it true, as has been shown, that General Jackson had a design on the Bank of the United States when he first became President. The most apparent way in which the General became inimical to any man, or the opponent of any thought or plan, was in its crossing his path. The Bank of the United States had been fortunate enough to furnish but one of these occasions. On his way to Florida, the branch bank in New Orleans had surprised and enraged him by its inability to satisfy his demands. But this offense was not sufficient, and he hardly carried it with him to Washington so many years subsequently.

The "Independent Treasury" must be placed to the credit of Mr. Van Buren, however far fetched was the real origin of the plan. It is the monument of his Administration. And although it was left for later times to perfect the plan in the national control of paper currency, as well as the coinage of specie, the Sub-Treasury introduced and supported to the last by Mr. Van Buren against Democrat and Whig alike, was its foundation.

The "Sub-Treasury" had one friend, at least, from the first and always, and that was Thos. H. Benton, who stood by Mr. Van Buren as he had by General Jackson. And although Mr. Van Buren had called Benton "exalted in the head," he urged him at the outset to become a member of his Cabinet. But Benton preferred the Senate, where he was worth more than he could have been in the Cabinet.

Daniel Webster and Henry Clay were, perhaps, the most able opponents of the President's new and safe financial plan, although there were many other able men in the Senate, as well as Mr. Adams and others in the House, on their side. Some of the Jackson Democrats joined the opposition on this and some other issues, and were then designated as Conservatives, and were afterward identified with the Whigs.

Silas Wright again brought in a bill from the finance committee, for carrying out the President's plan for the "divorce of State and bank," as it was termed. After a long and bitter debate, diversified by "personal reminiscences" and other direct men-



tion between Mr. Clay and Mr. Calhoun, the bill was passed in the Senate, but on the 25th of June, 1838, was rejected in the House by a vote of 125 to 111.

A bill was brought before Congress this session making it a criminal offense for the president, or other officers, of the old Bank of the United States to reissue its notes, as it had continued to do since the expiration of its charter. The bank had two years from the expiration of its charter, in the spring of 1836, to settle its affairs, but that did not include the right to reissue its notes.

An act to organize Iowa Territory was passed this session; also acts for encouraging the growth of tropical fruits, appropriating money for the improvement of certain harbors and rivers, and the continuance of the war in Florida, as well as several other matters of some importance.

The call for appropriations for the Seminole War brought out a long discussion on the origin and responsibility of that war, in which Colonel Benton displayed himself to great advantage as the defender of General Jackson. The connection of Mr. Van Buren with this war may be seen in other parts of this volume.

## CHAPTER XVII.

TEXAS AND HUMAN SLAVERY—THE “PATRIOT WAR”—  
LAST DAYS OF THE GREAT BANK—MR. VAN  
BUREN'S SECOND ANNUAL MESSAGE.

**D**URING this session of Congress, which ended on the 9th of July, 1838, the agitation of the subject of slavery rose to great height, with some disgraceful results. This bitter discussion led to a duel between W. J. Graves, of Kentucky, and Jonathan Cilley, of Maine, fought on the 24th of February, while Congress was in the midst of its heated work. This single combat between freedom and slavery was fought with rifles in the State of Maryland, near Washington City, and in it Mr. Cilley was killed. Both of these men were members of the Lower House of Congress. The inflammable Henry A. Wise, also a member of the House, was a second in this disgraceful affair.

The most stubborn, deep, and inveterate enemy of slavery and its territorial acquisitions, and perhaps the most able and trustworthy legislator in the House at this time, was the former President, John Quincy Adams. The Cilley duel started a very determined effort to enact a law against duelling, which Mr. Adams boldly announced on the floor of the House to be the natural appendage of

slavery, and a crying shame and disgrace to the Nation. The law was, indeed, passed in 1839, although a great part of the supporters of the Administration opposed it. But it was never very effective in curing the evil. Only that higher law written in the heart and character can ever utterly eradicate this devilish practice.

Besides hundreds of petitions brought in at this session against dueling, slavery, and the annexation of Texas, there were several from Virginia asking for the expulsion of Mr. Adams from the House, and strangely enough these were presented through his motion. There was also a petition asking an appropriation for building a wall, like the great wall of China, between the slave and the free States. Nearly all these great questions were turned into electioneering schemes, and little more than agitation to the country came out of them; the supporters of the Administration, with few exceptions, opposing any advances on slavery, against the admission of Texas, and even against the enactment of a law against dueling.

In the winter of 1836, the independence of Texas had been acknowledged by the United States; and in this session of Congress Mr. Preston, a South Carolina Whig Senator, made a motion looking to a favorable consideration of the admission of that country finally as a State into this Union. Texas had already applied for admission; but she was still at war with Mexico, and the motion was rather designed to further the idea of ultimate annexation,

or reannexation, as it was artfully argued by the friends of the step. But no definite action was taken in the matter at this time.

In the winter of 1837, an insurrection began in Canada, which was dignified by the name of "Patriot War." These "patriots" or "insurgents" were aided by the Americans on the border, many of whom actually crossed over into Canada to swell the insurgent force. Mr. Van Buren became greatly concerned about this movement on the part of his countrymen. The Patriot cause was, from the outset, without hope; and he saw no reason for this Government becoming involved in another quarrel with Great Britain. Accordingly, on the 5th of January, 1838, Mr. Van Buren issued a proclamation to the citizens of the United States, commanding them to return to their homes, and forbidding them to give aid or comfort to the Canadians. He also sent General Scott up to the border to break up any American organizations in favor of the "Patriot" movement. This Scott did without difficulty; and with the exception of the violent partisans of the Canadian rebels, the course pursued by the President was generally approved on this side.

In June, 1838, Mahlon Dickerson resigned his place as Secretary of the Navy, and Mr. Van Buren nominated James K. Paulding, of New York, to fill the place. This appointment could not have been agreeable to the party leaders. Mr. Paulding was not a politician, and was not acquainted with politicians. The selection did the party no good at a

time when it could not afford to lose any source of strength. Still the appointment, as impolitic as it was, certainly indicated how little President Van Buren was shaping his acts to party ends, and must stand, to some extent, as a refutation of the charge that he was always seeking his own and his party interests at the detriment of the general welfare.

One of Mr. Paulding's literary feats had, indeed, commended him to the South, but its virtue was hardly apparent to his party associates in the North. And at best his selection was not very wise. The elections this year were still unfavorable to the Administration.

Congress again met December 3, 1838, for the short session, ending March 3, 1839, and on the following day Mr. Van Buren sent in his

## SECOND ANNUAL MESSAGE.

*December 4, 1838.*

FELLOW-CITIZENS OF THE SENATE AND HOUSE OF REPRESENTATIVES:—

I congratulate you on the favorable circumstances in the condition of our country, under which you reassemble for the performance of your official duties. Though the anticipations of an abundant harvest have not everywhere been realized, yet, on the whole, the labors of the husbandman are rewarded with a bountiful return; industry prospers in its various channels of business and enterprise; general health again prevails through our vast diversity of climate; nothing threatens from abroad the continuance of external peace; nor has anything at home impaired the strength of those fraternal and domestic ties which constitute the only guarantee to the success and permanency of our happy Union, and which, formed in the hour of peril, have hitherto been honorably sustained through every vicissitude in our national affairs. These blessings, which

evince the care and beneficence of Providence, call for our devout and fervent gratitude.

We have not less reason to be grateful for other bounties bestowed by the same munificent hand, and more exclusively our own.

The present year closes the first half century of our federal institutions; and our system, differing from all others in the acknowledged practical and unlimited operation which it has for so long a period given to the sovereignty of the people, has now been fully tested by experience.

The constitution devised by our forefathers as the framework and bond of that system, then untried, has become a settled form of government; not only preserving and protecting the great principles upon which it was founded, but wonderfully promoting individual happiness and private interests. Though subject to change and entire revocation, whenever deemed inadequate to all these purposes, yet such is the wisdom of its construction, and so stable has been the public sentiment, that it remains unaltered, except in matters of detail, comparatively unimportant. It has proved amply sufficient for the various emergencies incident to our condition as a nation. A formidable foreign war; agitating collisions between domestic, and in some respect rival sovereignties; temptations to interfere in the intestine commotions of neighboring countries; the dangerous influences that arise in periods of excessive prosperity; and the anti-republican tendencies of associated wealth—these, with other trials not less formidable, have all been encountered, and thus far successfully resisted.

It was reserved for the American Union to test the advantages of a government entirely dependent on the continual exercise of the popular will; and our experience has shown that it is as beneficent in practice as it is just in theory. Each successive change made in our local institutions has contributed to extend the right of suffrage, has increased the direct influence of the mass of the community, given greater freedom to individual exertion, and restricted more and more the powers of government; yet the intelligence, prudence, and patriotism of the people have kept pace with the augmented responsibility. In no country has education been so widely diffused. Domestic



peace has nowhere so largely reigned. The close bonds of social intercourse have, in no instance, prevailed with such harmony over a space so vast. All forms of religion have united, for the first time, to diffuse charity and piety, because, for the first time in the history of nations, all have been totally untrammelled and absolutely free. The deepest recesses of the wilderness have been penetrated; yet, instead of the rudeness in the social condition consequent upon such adventures elsewhere, numerous communities have sprung up, already unrivaled in prosperity, general intelligence, internal tranquillity, and the wisdom of their political institutions. Internal improvements, the fruit of individual enterprise, fostered by the protection of the States, have added new links to the confederation, and fresh rewards to provident industry. Doubtful questions of domestic policy have been quietly settled by mutual forbearance; and agriculture, commerce, and manufactures minister to each other. Taxation and public debt, the burdens which bear so heavily upon all other countries, have pressed with comparative lightness upon us. Without one entangling alliance, our friendship is prized by every nation; and the rights of our citizens are everywhere respected, because they are known to be guarded by a united, sensitive, and watchful people.

To this practical operation of our institutions, so evident and successful, we owe that increased attachment to them which is among the most cheering exhibitions of popular sentiment, and will prove their best security, in time to come, against foreign or domestic assault.

This review of the results of our institutions, for half a century, without exciting a spirit of vain exultation, should serve to impress upon us the great principles from which they have sprung: constant and direct supervision by the people over every public measure; strict forbearance on the part of the Government from exercising any doubtful or disputed powers; and a constant abstinence from all interference with concerns which properly belong, and are best left to State regulations and individual enterprise.

Full information of the state of our foreign affairs having been recently, on different occasions, submitted to Congress, I

deem it necessary now to bring to your notice such events as have subsequently occurred, or are of such importance as to require particular attention.

The most amicable dispositions continue to be exhibited by all the nations with whom the Government and citizens of the United States have an habitual intercourse. At the date of my last annual message, Mexico was the only nation which could not be included in so gratifying a reference to our foreign relations.

I am happy to be now able to inform you that an advance has been made toward the adjustment of our difficulties with that Republic, and the restoration of the customary good feeling between the two nations. This important change has been effected by conciliatory negotiations that have resulted in the conclusion of a treaty between the two governments, which, when ratified, will refer to the arbitrament of a friendly power all the subjects of controversy between us growing out of injuries to individuals. There is, at present, also, reason to believe that an equitable settlement of all disputed points will be attained without further difficulty or unnecessary delay, and thus authorize the free resumption of diplomatic intercourse with our sister Republic.

With respect to the north-eastern boundary of the United States, no official correspondence between this Government and that of Great Britain has passed since that communicated to Congress toward the close of their last session. The offer to negotiate a convention for the appointment of a joint commission of survey and exploration, I am, however, assured will be met by her majesty's government in a conciliatory and friendly spirit, and instructions to enable the British Minister here to conclude such an arrangement will be transmitted to him without needless delay. It is hoped and expected that those instructions will be of a liberal character, and that this negotiation, if successful, will prove to be an important step toward the satisfactory and final adjustment of the controversy.

I had hoped that the respect for the laws, and regard for the peace and honor of their own country, which have ever characterized the citizens of the United States, would have prevented any portion of them from using any means to pro-

mote insurrection in the territory of a power with which we are at peace, and with which the United States are desirous of maintaining the most friendly relations. I deeply regret, however, to be obliged to inform you that this has not been the case. Information has been given to me, derived from official and other sources, that many citizens of the United States have associated together to make hostile incursions from our territory into Canada, and to aid and abet insurrection there, in violation of the obligations and laws of the United States, and in open disregard of their own duties as citizens. This information has been in part confirmed by a hostile invasion actually made by citizens of the United States, in conjunction with Canadians and others, and accompanied by a forcible seizure of the property of our citizens, and an application thereof to the prosecution of military operations against the authorities and people of Canada.

The results of these criminal assaults upon the peace and order of a neighboring country have been, as was to be expected, fatally destructive to the misguided or deluded persons engaged in them, and highly injurious to those in whose behalf they are professed to have been undertaken. The authorities in Canada, from intelligence received of such intended movements among our citizens, have felt themselves obliged to take precautionary measures against them, have actually embodied the militia, and assumed an attitude to repel an invasion to which they believed the colonies were exposed from the United States. A state of feeling on both sides of the frontier had thus been produced, which called for prompt and vigorous interference. If an insurrection existed in Canada, the amicable dispositions of the United States toward Great Britain, as well as their duty to themselves, would lead them to maintain a strict neutrality, and to restrain their citizens from all violations of the laws which have been passed for its enforcement. But this Government recognizes a still higher obligation to repress all attempts on the part of its citizens to disturb the peace of a country where order prevails, or has been re-established. Depredations by our citizens upon nations at peace with the United States, or combinations for committing them, have at all times been regarded by the American Government

and people with the greatest abhorrence. Military incursions by our citizens into countries so situated, and the commission of acts of violence on the members thereof, in order to effect a change in its government, or under any pretext whatever, have, from the commencement of our Government, been held equally criminal on the part of those engaged in them, and as much deserving punishment as would be the disturbance of the public peace by the perpetration of similar acts within our own territory.

By no country or persons have these invaluable principles of international law—principles, the strict observance of which is so indispensable to the preservation of social order in the world—been more earnestly cherished or sacredly respected than by those great and good men who first declared, and finally established, the independence of our own country. They promulgated and maintained them at an early and critical period in our history; they were subsequently embodied in legislative enactments of highly penal character, the faithful enforcement of which has hitherto been, and will, I trust, always continue to be, regarded as a duty inseparably associated with the maintenance of our national honor. That the people of the United States should feel an interest in the spread of political institutions as free as they regard their own to be, is natural; nor can a sincere solicitude for the success of all those who are, at any time, in good faith struggling for their acquisition, be imputed to our citizens as a crime. With the entire freedom of opinion, and an undisguised expression thereof, on their part, the Government has neither the right, nor, I trust, the disposition to interfere. But whether the interest or the honor of the United States requires that they should be made a party to any such struggle, and, by inevitable consequence, to the war which is waged in its support, is a question which, by our Constitution, is wisely left to Congress alone to decide. It is, by the laws, already made criminal in our citizens to embarrass or anticipate that decision by unauthorized military operations on their part.

Offenses of this character, in addition to their criminality as violations of the laws of our country, have a direct tendency to draw down upon our citizens at large the multiplied evils

of a foreign war, and expose to injurious imputations the good faith and honor of the country. As such, they deserve to be put down with promptitude and decision. I can not be mistaken, I am confident, in counting on the cordial and general concurrence of our fellow-citizens in this sentiment. A copy of the proclamation which I have felt it my duty to issue, is herewith communicated. I can not but hope that the good sense and patriotism, the regard for the honor and reputation of their country, the respect for the laws which they have themselves enacted for their own government, and the love of order for which the mass of our people have been so long and so justly distinguished, will deter the comparatively few who are engaged in them from a further prosecution of such desperate enterprises. In the meantime the existing laws have been, and will continue to be, faithfully executed; and every effort will be made to carry them out in their full extent. Whether they are sufficient or not to meet the actual state of things on the Canadian frontier, it is for Congress to decide.

It will appear, from the correspondence herewith submitted, that the government of Russia decline a renewal of the fourth article of the Convention of April, 1824, between the United States and his imperial majesty, by the third article of which it is agreed that "hereafter there shall not be formed by the citizens of the United States, or under the authority of the said States, any establishment upon the northwest coast of America, nor in any of the islands adjacent, to the north of  $54^{\circ} 40'$  of north latitude; and that in the same manner there shall be none formed by Russian subjects, or under the authority of Russia, south of the same parallel;" and by the fourth article, that "during a term of ten years, counting from the signature of the present convention, the ships of both powers, or which belong to their citizens or subjects respectively, may reciprocally frequent, without any hindrance whatever, the interior seas, gulfs, harbors, and creeks, upon the coast mentioned in the preceding article, for the purpose of fishing and trading with the natives of the country." The reasons assigned for declining to renew the provisions of this article are, briefly, that the only use made by our citizens of the



privilege it secures to them, has been to supply the Indians with spirituous liquors, ammunition, and fire-arms; that this traffic has been excluded from the Russian trade; and as the supplies furnished from the United States are injurious to the Russian establishments on the northwest coast, and calculated to produce complaints between the two governments, his imperial majesty thinks it for the interest of both countries not to accede to the proposition made by the American Government for the renewal of the article last referred to.

The correspondence herewith communicated will show the grounds upon which we contend that the citizens of the United States have, independent of the provisions of the convention of 1824, a right to trade with the natives upon the coast in question, at unoccupied places, liable, however, it is admitted, to be at any time extinguished by the creation of Russian establishments at such points. The right is denied by the Russian government, which asserts that, by the operation of the treaty of 1824, each party agreed to waive the general right to land on the vacant coasts on the respective sides of the degree of latitude referred to, and accepted, in lieu thereof, the mutual privileges mentioned in the fourth article. The capital and tonnage employed by our citizens in their trade with the northwest coast of America will, perhaps, on advert-ing to the official statements of the commerce and navigation of the United States, for the last few years, be deemed too inconsiderable in amount to attract much attention; yet the subject may, in other respects, deserve the careful consideration of Congress.

I regret to state that the blockade of the principal ports on the eastern coast of Mexico, which, in consequence of differences between that Republic and France, was instituted in May last, unfortunately still continues, enforced by a competent French naval force, and is necessarily embarrassing to our own trade in the Gulf, in common with that of other nations. Every disposition, however, is believed to exist, on the part of the French government, to render this measure as little onerous as practicable to the interests of the citizens of the United States, and to those of neutral commerce; and it is to be hoped that an early settlement of the difficulties between France and



Mexico will soon re-establish the harmonious relations formerly subsisting between them, and again open the ports of that Republic to the vessels of all friendly nations.

A convention for marking that part of the boundary between the United States and the Republic of Texas, which extends from the mouth of the Sabine to the Red River, was concluded and signed at this city on the 25th of April last. It has since been ratified by both governments; and seasonable measures will be taken to carry it into effect on the part of the United States.

The application of that Republic for admission into this Union, made in August, 1837, and which was declined for reasons already made known to you, has been formally withdrawn, as will appear from the accompanying copy of the note of the minister plenipotentiary of Texas, which was presented to the Secretary of State on the occasion of the exchange of ratifications of the convention above mentioned.

Copies of the convention with Texas, of a commercial treaty concluded with the king of Greece, and of a similar treaty with the Peru-Bolivian Confederation, the ratifications of which have been recently exchanged, accompany this message for the information of Congress, and for such legislative enactments as may be found necessary or expedient, in relation to either of them.

To watch over and foster the interests of a gradually increasing and widely extended commerce; to guard the rights of American citizens, whom business or pleasure, or other motives, may tempt into distant climes, and at the same time to cultivate those sentiments of mutual respect and good-will which experience has proved so beneficial in international intercourse, the Government of the United States has deemed it expedient, from time to time, to establish diplomatic connections with different foreign States, by the appointment of representatives to reside within their respective territories. I am gratified to be enabled to announce to you that, since the close of your last session, these relations have been opened under the happiest auspices with Austria and the Two Sicilies; that new nominations have been made in the respective missions of Russia, Brazil, Belgium, Sweden, and Norway, in this country;

and that a minister extraordinary has been received, accredited to this Government from the Argentine Confederation.

An exposition of the fiscal affairs of the Government, and of their condition for the past year, will be made to you by the Secretary of the Treasury.

The available balance in the Treasury, on the 1st of January next, is estimated at two millions seven hundred and sixty-five thousand three hundred and forty-two dollars. The receipts of the year, from customs and lands, will probably amount to twenty millions six hundred and fifteen thousand five hundred and ninety-eight dollars. These usual sources of revenue have increased by an issue of treasury-notes, of which less than eight millions of dollars, including interest and principal, will be outstanding at the end of the year, and by the sale of one of the bonds of the Bank of the United States, for two millions two hundred and fifty-four thousand eight hundred and seventy-one dollars. The aggregate of means from these and other sources, with the balance on hand on the 1st of January last, has been applied to the payment of appropriations by Congress. The whole expenditure for the year on their account, including the redemption of more than eight millions of treasury-notes, constitutes an aggregate of about forty millions of dollars, and will still leave in the Treasury the balance before stated.

Nearly eight millions of dollars of treasury-notes are to be paid during the coming year, in addition to the ordinary appropriations for the support of Government. For both these purposes the resources of the Treasury will undoubtedly be sufficient, if the charges upon it are not increased beyond the annual estimates. No excess, however is likely to exist; nor can the postponed installment of the surplus revenue be deposited with the States, nor any considerable appropriations beyond the estimates be made, without causing a deficit in the Treasury. The great caution, advisable at all times, of limiting appropriations to the wants of the public service, is rendered necessary at present by the prospective and rapid reduction of the tariff; while the vigilant jealousy, evidently excited among the people by the occurrences of the last few years, assures us that they expect from their representatives,

and will sustain them in the exercise of, the most rigid economy. Much can be effected by postponing appropriations not immediately required for the ordinary public service, or for any pressing emergency; and much, by reducing the expenditures, where the entire and immediate accomplishment of the objects in view is not indispensable.

When we call to mind the recent and extreme embarrassments produced by excessive issues of bank paper, aggravated by the unforeseen withdrawal of much foreign capital, and the inevitable derangement arising from the distribution of the surplus revenue among the States as required by Congress; and consider the heavy expenses incurred by the removal of Indian tribes, by the military operations in Florida, and on account of the unusually large appropriations made at the last two annual sessions of Congress for other objects, we have striking evidence, in the present efficient state of our finances, of the abundant resources of the country to fulfill all its obligations. Nor is it less gratifying to find that the general business of the community, deeply affected as it has been, is reviving with additional vigor, chastened by the lessons of the past, and animated by the hopes of the future. By the curtailment of paper issues, by curbing the sanguine and adventurous spirit of speculation, and by the honorable application of all available means to the fulfillment of obligations, confidence has been restored both at home and abroad, and ease and facility secured to all the operations of trade.

The agency of the Government in producing these results has been as efficient as its powers and means permitted. By withholding from the States the deposit of the fourth installment, and leaving several millions at long credits with the banks, principally in one section of the country, and more immediately beneficial to it; and, at the same time, aiding the banks and commercial communities in other sections, by postponing the payment of bonds for duties to the amount of between four and five millions of dollars; by an issue of treasury-notes as a means to enable the Government to meet the consequences of their indulgences, but affording, at the same time, facilities for remittance and exchange; and by steadily declining to employ as general depositories of the public rev-

enues, or receive the notes of all banks which refused to redeem them with specie; by these measures, aided by the favorable action of some of the banks, and by the support and co-operation of a large portion of the community, we have witnessed an early resumption of specie payments in our great commercial capital, promptly followed in almost every part of the United States. This result has been alike salutary to the true interests of agriculture, commerce, and manufactures; to public morals, respect for the laws, and that confidence between man and man which is so essential in all our social relations.

The contrast between the suspension of 1814 and that of 1837 is most striking. The short duration of the latter; the prompt restoration of business; the evident benefits resulting from an adherence by the Government to the constitutional standard of value, instead of sanctioning the suspension by the receipt of irredeemable paper; and the advantages derived from the large amount of specie introduced into the country previous to 1837, afford a valuable illustration of the true policy of the Government in such a crisis. Nor can the comparison fail to remove the impression that a national bank is necessary in such emergencies. Not only were specie payments resumed without its aid, but exchanges have also been more rapidly restored than when it existed; thereby showing that private capital, enterprise, and prudence are fully adequate to these ends. On all these points experience seems to have confirmed the views heretofore submitted to Congress. We have been saved the mortification of seeing the distresses of the community for the third time seized on to fasten upon the country so dangerous an institution; and we may also hope that the business of individuals will hereafter be relieved from the injurious effects of a continued agitation of that disturbing subject.

The limited influence of a national bank in averting derangement in the exchanges of the country, or in compelling the resumption of specie payments, is now not less apparent than its tendency to increase inordinate speculation by sudden expansions and contractions, its disposition to create panic and embarrassment for the promotion of its own designs, its

interference with politics, and its far greater power for evil than for good, either in regard to the local institutions or the operations of Government itself. What was in these respects but apprehension or opinion, when a national bank was first established, now stands confirmed by humiliating experience. The scenes through which we have passed conclusively prove how little our commerce, agriculture, manufactures, or finances require such an institution, and what dangers are attendant on its power—a power, I trust, never to be conferred by the American people upon their Government, and still less upon individuals not responsible to them for its unavoidable abuses.

My conviction of the necessity of further legislative provisions for the safe-keeping and disbursement of the public moneys, and my opinion in regard to the measures best adapted to the accomplishment of those objects have been already submitted to you. These have been strengthened by recent events; and, in the full conviction that time and experience must still further demonstrate their propriety, I feel it my duty, with respectful deference to the conflicting views of others, again to invite your attention to them.

With the exception of limited sums deposited in the few banks still employed under the act of 1836, the amounts received for duties, and, with very inconsiderable exceptions, those accruing from lands also, have, since the general suspension of specie payments by the deposit-banks, been kept and disbursed by the Treasurer, under his general legal powers, subject to the superintendence of the Secretary of the Treasury. The propriety of defining more specifically, and of regulating by law the exercise of this wide scope of executive discretion, has been already submitted to Congress.

A change in the office of collector at one of our principal ports has brought to light a defalcation of the gravest character, the particulars of which will be laid before you in a special report from the Secretary of the Treasury. By his report, and the accompanying documents, it will be seen that the weekly returns of the defaulting officer apparently exhibited throughout a faithful administration of the affairs intrusted to his management. It, however, now appears that he commenced abstracting the public moneys shortly after his appointment,



and continued to do so, progressively increasing the amount, for the term of more than seven years, embracing a portion of the period during which the public moneys were deposited in the Bank of the United States, the whole of that of the State bank deposit system, and concluding only on his retirement from office, after that system had substantially failed, in consequence of the suspension of specie payments.

The way in which this defalcation was so long concealed, and the steps taken to indemnify the United States, as far as practicable, against loss, will also be presented to you. The case is one which imperatively claims the attention of Congress, and furnishes the strongest motive for the establishment of a more severe and secure system for the safe-keeping and disbursement of the public moneys than any that has heretofore existed.

It seems proper, at all events, that, by an early enactment, similar to that of other countries, the application of public money by an officer of government to private uses, should be made a felony, and visited with severe and ignominious punishment. This is already, in effect, the law in respect to the mint, and has been productive of the most salutary results. Whatever system is adopted, such an enactment would be wise as an independent measure, since much of the public moneys must, in their collection and ultimate disbursement, pass twice through the hands of public officers, in whatever manner they are immediately kept. The Government, it must be admitted, has been, from its commencement, comparatively fortunate in this respect. But the appointing power can not always be well advised in its selections, and the experience of every country has shown that public officers are not at all times proof against temptation. It is a duty, therefore, which the Government owes, as well to the interests committed to its care as to the officers themselves, to provide every guard against transgressions of this character, that is consistent with reason and humanity. Congress can not be too jealous of the conduct of those who are intrusted with the public money, and I shall at all times be disposed to encourage a watchful discharge of this duty.

If a more direct co-operation on the part of Congress, in



the supervision of the conduct of the officers intrusted with the custody and application of the public money is deemed desirable, it will give me pleasure to assist in the establishment of any judicious and Constitutional plan by which that object may be accomplished. You will, in your wisdom, determine upon the propriety of adopting such a plan, and upon the measures necessary to its effectual execution. When the late Bank of the United States was incorporated, and made the depository of the public moneys, a right was reserved to Congress to inspect at its pleasure, by a committee of that body, the books and the proceedings of the bank. In one of the States whose banking institutions are supposed to rank among the first in point of stability, they are subjected to constant examination, by commissioners appointed for that purpose, and much of the success of its banking system is attributed to this watchful supervision.

The same course has also, in view of its beneficial operation, been adopted by an adjoining State, favorably known for the care it has always bestowed upon whatever relates to its financial concerns. I submit to your consideration whether a committee of Congress might not be profitably employed in inspecting, at such intervals as might be deemed proper, the affairs and accounts of officers intrusted with the custody of the public moneys. The frequent performance of this might be made obligatory on the committee in respect to those officers who have large sums in their possession, and left discretionary in respect to others. They might report to the Executive such defalcations as were found to exist, with a view to a prompt removal from office, unless the default was satisfactorily accounted for; and report, also, to Congress, at the commencement of each session, the result of their examinations and proceedings. It does appear to me that, with a subjection of this class of public officers to the general supervision of the Executive, to examinations by a committee of Congress at periods of which they should have no previous notice, and to prosecution and punishment as for felony for every breach of trust, the safe-keeping of the public moneys, under the system proposed, might be placed on a surer foundation than it has ever occupied since the establishment of the Government.

The Secretary of the Treasury will lay before you additional information containing new details on this interesting subject. To these I ask your early attention. That it should have given rise to great diversity of opinion can not be a subject of surprise. After the collection and custody of the public moneys had been for so many years connected with, and made subsidiary to, the advancement of private interests, a return to the simple and self-denying ordinances of the Constitution could not but be difficult. But time and free discussion, eliciting the sentiments of the people, and aided by that conciliatory spirit which has ever characterized their course on great emergencies, were relied upon for a satisfactory settlement of the question. Already has this anticipation, on one important point at least—the impropriety of diverting public money to private purposes—been fully realized. There is no reason to suppose that legislation upon that branch of the subject would be now embarrassed by a difference of opinion, or fail to receive the cordial support of a large majority of our constituents.

The connection which formerly existed between the Government and banks was in reality injurious to both, as well as to the general interests of the community at large. It aggravated the disasters of trade and the derangements of commercial intercourse, and administered new excitement and additional means to wild and reckless speculations, the disappointments of which threw the country into convulsions of panic, and all but produced violence and bloodshed. The imprudent expansion of bank credits, which was the natural result of the command of the revenues of the State, furnished the resources for unbounded license in every species of adventure, seduced industry from its regular and salutary occupations by the hope of abundance without labor, and deranged the social state by tempting all trades and professions into the vortex of speculation on remote contingencies.

The same wide-spreading influence impeded also the resources of the Government, curtailed its useful operations, embarrassed the fulfillment of its obligations, and seriously interfered with the execution of the laws. Large appropriations and oppressive taxes are the natural consequences of such a connection, since they increase the profits of those who are

allowed to use the public funds, and make it their interest that money should be accumulated and expenditures multiplied. It is thus that a concentrated money power is tempted to become an active agent in political affairs, and all past experience has shown on which side that influence will be arrayed. We deceive ourselves if we suppose that it will ever be found asserting and supporting the rights of the community at large, in opposition to the claims of the few.

In a Government whose distinguishing characteristics should be a diffusion and equalization of its benefits and burdens, the advantage of individuals will be augmented at the expense of the mass of the people. Nor is it the nature of combinations for the acquisition of legislative influence to confine their interference to the single object for which they were originally formed. The temptation to extend it to other matters is, on the contrary, not unfrequently too strong to be resisted. The influence, in the direction of public affairs, of the community at large is, therefore, in no slight danger of being sensibly and injuriously affected by giving to a comparatively small but very efficient class a direct and exclusive personal interest in so important a portion of the legislation of Congress as that which relates to the custody of the public moneys. If laws acting upon private interests can not always be avoided, they should be confined within the narrowest limits, and left, wherever possible, to the Legislatures of the States. When not thus restricted, they lead to combinations of powerful associations, foster an influence necessarily selfish, and turn the fair course of legislation to sinister ends, rather than to objects that advance public liberty, and promote the general good.

The whole subject now rests with you, and I can not but express a hope that some definite measure will be adopted at the present session.

It will not, I am sure, be deemed out of place for me here to remark, that the declaration of my views in opposition to the policy of employing banks as depositories of the Government funds, can not justly be construed as indicative of hostility, official or personal, to those institutions; or to repeat in this form, and in connection with this subject, opinions which I have uniformly entertained, and, on all proper occasions,

expressed. Though always opposed to their creation in the form of exclusive privileges, and, as a State magistrate, aiming, by appropriate legislation, to secure the community against the consequences of their occasional mismanagement, I have yet ever wished to see them protected in the exercise of rights conferred by law; and have never doubted their utility, when properly managed, in promoting the interests of trade, and, through that channel, the other interests of the community. To the General Government they present themselves merely as State institutions, having no necessary connection with its legislation or its administration. Like other State establishments, they may be used or not in conducting the affairs of the Government as public policy and the general interests of the Union may seem to require.

The only safe or proper principle upon which their intercourse with the Government can be regulated is that which regulates their intercourse with the private citizens—the conferring of mutual benefits. When the Government can accomplish a financial operation better with the aid of the banks than without, it should be at liberty to seek that aid, as it would the services of a private banker, or other capitalists or agents, giving the preference to those who will serve it on the best terms. Nor can there ever exist an interest in the officers of the General Government, as such, inducing them to embarrass or annoy the State banks any more than to incur the hostility of any other class of State institutions, or of private citizens. It is not in the nature of things that hostility to those institutions can spring from this source, or any opposition to their course of business, except when they themselves depart from the objects of their creation, and attempt to usurp powers not conferred upon them, or to subvert the standard of value established by the Constitution.

While opposition to their regular operations can not exist in this quarter, resistance to any attempt to make the Government dependent upon them for the successful administration of public affairs is a matter of duty, as I trust it will ever be of inclination, no matter from what motive or consideration the attempt may originate.

It is no more than just to the banks to say that, in the late

emergency, most of them firmly resisted the strongest temptations to extend their paper issues when apparently sustained in a suspension of specie payments by public opinion, even though in some cases invited by legislative enactments. To this honorable course, aided by the resistance of the General Government, acting in obedience to the Constitution and laws of the United States, to the introduction of an irredeemable paper medium, may be attributed, in a great degree, the speedy restoration of our currency to a sound state, and the business of the country to its wonted prosperity.

The banks have but to continue in the same safe course, and be content in their appropriate sphere, to avoid all interference from the General Government, and to derive from it all the protection and benefits which it bestows on other State establishments, on the people of the States, and on the States themselves. In this, their true position, they can not but secure the confidence and good-will of the people and the Government, which they can only lose when, leaping from their legitimate sphere, they attempt to control the legislation of the country, and pervert the operations of the Government to their own purposes.

Our experience under the act passed at the last session, to grant pre-emption rights to settlers on the public lands, has as yet been too limited to enable us to pronounce with safety upon the efficacy of its provisions to carry out the wise and liberal policy of the Government in that respect. There is, however, the best reason to anticipate favorable results from its operation. The recommendations formerly submitted to you, in respect to a graduation of the price of the public lands, remain to be finally acted upon. Having found no reason to change the views then expressed, your attention to them is again respectfully requested.

Every proper exertion has been made, and will be continued, to carry out the wishes of Congress in relation to the tobacco-trade, as indicated in the several resolutions of the House of Representatives, and the legislation of the two branches. A favorable impression has, I trust, been made in the different foreign countries to which particular direction has been directed; and although we can not hope for an early change in



their policy, as in many of them a convenient and large revenue is derived from monopolies in the fabrication and sale of this article, yet, as these monopolies are really injurious to the people where they are established, and the revenue derived from them may be less injuriously and with equal facility obtained from another and a liberal system of administration, we can not doubt that our efforts will be eventually crowned with success, if persisted in with temperate firmness, and sustained by prudent legislation.

In recommending to Congress the adoption of the necessary provisions at this session for taking the next census, or enumeration of the inhabitants of the United States, the suggestion presents itself, whether the scope of the measure might not be usefully extended by causing it to embrace authentic statistical returns of the great interests specially intrusted to, or necessarily affected by, the legislation of Congress.

The accompanying report of the Secretary of War presents a satisfactory account of the state of the army, and of the several branches of the public service confided to the superintendence of that officer.

The law increasing and organizing the military establishment of the United States has been nearly carried into effect, and the army has been extensively and usefully employed during the past season.

I would again call to your notice the subjects connected with and essential to the military defenses of the country, which were submitted to you at the last session; but which were not acted upon, as is supposed, for want of time. The most important of them is the organization of the militia on the maritime and inland frontiers. This measure is deemed important, as it is believed that it will furnish an effective volunteer force in aid of the regular army, and may form the basis for a general system of organization for the entire militia of the United States. The erection of a national foundry and gunpowder manufactory, and one for making small arms, the latter to be situated at some point west of the Alleghany Mountains, all appear to be of sufficient importance to be again urged upon your attention.

The plan proposed by the Secretary of War for the distri-



bution of the forces of the United States in time of peace is well calculated to promote regularity and economy in the fiscal administration of the service, to preserve the discipline of the troops, and to render them available for the maintenance of the peace and tranquillity of the country. With this view, likewise, I recommend the adoption of the plan presented by that officer for the defense of the western frontier. The preservation of the lives and property of our fellow-citizens, who are settled upon that border country, as well as the existence of the Indian population, which might be tempted by our want of preparation to rush on their own destruction and attack the white settlements—all seem to require that this subject should be acted upon without delay, and the War Department authorized to place that country in a state of complete defense against any assault from the numerous and warlike tribes which are congregated on that border.

It affords me sincere pleasure to be able to apprise you of the entire removal of the Cherokee nation of Indians to their new homes west of the Mississippi. The measures authorized by Congress at its last session, with a view to the long-standing controversy with them, have had the happiest effects. By an agreement concluded with them by the commanding general in that country, who has performed the duties assigned to him on the occasion with commendable energy and humanity, their removal has been principally under the conduct of their own chiefs, and they have emigrated without any apparent reluctance.

The successful accomplishment of this important object; the removal, also, of the entire Creek nation, with the exception of a small number of fugitives among the Seminoles in Florida; the progress already made toward a speedy completion of the removal of the Chickasaws, the Choctaws, the Pottawatomies, the Ottawas, and the Chippewas, with the extensive purchases of Indian lands during the present year, have rendered the speedy and successful result of the long-established policy of the Government upon the subject of Indian affairs entirely certain. The occasion is therefore deemed a proper one to place this policy in such a point of view as will exonerate the Government of the United States from the undeserved

reproach which has been cast upon it through several successive Administrations. That a mixed occupancy of the same territory, by the white and red men, is incompatible with the safety or happiness of either, is a position in respect to which there has long since ceased to be room for a difference of opinion. Reason and experience have alike demonstrated its impracticability. The bitter fruits of every attempt heretofore to overcome the barriers interposed by nature, have only been destruction, both physical and moral, to the Indian; dangerous conflicts of authority between the Federal and State governments; and detriment to the individual prosperity of the citizens, as well as to the general improvement of the country. The remedial policy, the principles of which were settled more than thirty years ago, under the Administration of Mr. Jefferson, consists in an extinction, for a fair consideration, of the title to all the lands still occupied by the Indians within the States and Territories of the United States; their removal to a country west of the Mississippi, much more extensive, and better adapted to their condition than that on which they then resided; the guarantee to them, by the United States, of their exclusive possession of that country forever, exempt from all intrusions by white men, with ample provisions for their security against external violence and internal dissensions, and the extension to them of suitable facilities for their advancement in civilization. This has not been the policy of particular Administrations only, but of each in succession since the first attempt to carry it out under that of Mr. Monroe. All have labored for its accomplishment, only with different degrees of success. The manner of its execution has, it is true, from time to time given rise to conflicts of opinion and unjust imputations; but in respect to the wisdom and necessity of the policy itself, there has not, from the beginning, existed a doubt in the mind of any calm, judicious, disinterested friend of the Indian race, accustomed to reflection and enlightened by experience.

Occupying the double character of contractor on its own account, and guardian for the parties contracted with, it was hardly to be expected that the dealings of the Federal Government with the Indian tribes would escape misrepresentation.

That there occurred in the early settlement of this country, as in all others where the civilized race has succeeded to the possessions of the savage, instances of oppression and fraud on the part of the former, there is too much reason to believe. No such offenses can, however, be justly charged upon this Government since it became free to pursue its own course. Its dealings with the Indian tribes have been just and friendly throughout; its efforts for their civilization constant, and directed by the best feelings of humanity; its watchfulness in protecting them from individual frauds, unremitting; its forbearance under the keenest provocations, the deepest injuries, and the most flagrant outrages, may challenge, at least, a comparison with any nation, ancient or modern, in similar circumstances; and if, in future times, a powerful, civilized and happy nation of Indians shall be found to exist within the limits of this northern continent, it will be owing to the consummation of that policy which has been so unjustly assailed. Only a very brief reference to facts in confirmation of this assertion can in this form be given, and you are, therefore, necessarily referred to the report of the Secretary of War for further details. To the Cherokees, whose case has perhaps excited the greatest share of attention and sympathy, the United States have granted in fee, with a perpetual guarantee of exclusive and peaceable possession, thirteen millions five hundred and fifty-four thousand one hundred and thirty-five acres of land, on the west side of the Mississippi, eligibly situated, in a healthy climate, and in all respects better suited to their condition than the country they have left, in exchange for only nine millions four hundred and ninety-two thousand one hundred and sixty acres on the east side of the same river. The United States have, in addition, stipulated to pay them five millions six hundred thousand dollars for their interest in, and improvements on, the lands thus relinquished, and one million one hundred and sixty thousand dollars for subsistence and other beneficial purposes, thereby putting it in their power to become one of the most wealthy and independent separate communities, of the same extent, in the world.

By the treaties made and ratified with the Miamis, the Chippewas, the Sioux, the Sacs and Foxes, and the Winneba-

goes, during the last year, the Indian title to eighteen millions four hundred and fifty-eight thousand acres has been extinguished. These purchases have been much more extensive than those of any previous year, and have, with other Indian expenses, borne very heavily upon the Treasury. They leave, however, but a small quantity of unbought Indian lands within the States and Territories; and the Legislature and Executive were equally sensible of the propriety of a final and more speedy extinction of Indian titles within those limits. The treaties which were, with a single exception, made in pursuance of previous appropriations for defraying the expenses, have subsequently been ratified by the Senate, and received the sanction of Congress, by the appropriations necessary to carry them into effect. Of the terms upon which these important negotiations were concluded, I can speak from direct knowledge; and I feel no difficulty in affirming that the interest of the Indians in the extensive territory embraced by them, is to be paid for at its fair value, and that no more favorable terms have been granted to the United States than would have been reasonably expected in a negotiation with civilized men, fully capable of appreciating and protecting their own rights. For the Indian title to one hundred and sixteen millions three hundred and forty-nine thousand eight hundred and ninety-seven acres, acquired since the fourth of March, 1829, the United States have paid seventy-two millions five hundred and sixty thousand and fifty-six dollars, in permanent annuities, lands, reservations for Indians, expenses of removal and subsistence, merchandise, mechanical and agricultural establishments and implements. When the heavy expenses incurred by the United States, and the circumstance that so large a portion of the entire territory will be forever unsalable, are considered, and this price is compared with that for which the United States sell their own lands, no one can doubt that justice has been done to the Indians in these purchases also. Certain it is, that the transactions of the Federal Government with the Indians have been uniformly characterized by a sincere and paramount desire to promote their welfare; and it must be a source of the highest gratification to every friend of justice and humanity to learn, that notwith-

standing the obstructions from time to time thrown in its way, and the difficulties which have arisen from the peculiar and impracticable nature of the Indian character, the wise, humane, and undeviating policy of the Government in this, the most difficult of all our relations, foreign or domestic, has at length been justified to the world in its near approach to a happy and certain consummation.

The condition of the tribes which occupy the country set apart for them in the West, is highly prosperous, and encourages the hope of their early civilization. They have, for the most part, abandoned the hunter state, and turned their attention to agricultural pursuits. All those who have been established for any length of time in that fertile region, maintain themselves by their own industry. There are among them traders of no inconsiderable capital, and planters exporting cotton to some extent, but the greater number are small agriculturists, living in comfort upon the produce of their farms. The recent emigrants, although they have in some instances removed reluctantly, have readily acquiesced in their unavoidable destiny. They have found at once a recompense for past sufferings, and an incentive to industrious habits, in the abundance and comforts around them. There is reason to believe that all these tribes are friendly in their feelings toward the United States; and it is to be hoped that the acquisition of individual wealth, the pursuits of agriculture, and habits of industry, will gradually subdue their warlike propensities, and incline them to maintain peace among themselves. To effect this desirable object, the attention of Congress is solicited to the measures recommended by the Secretary of War, for their future government and protection, as well from each other, as from the hostility of the warlike tribes around them, and the intrusions of the whites. The policy of the Government has given them a permanent home, and guaranteed to them its peaceful and undisturbed possession. It only remains to give them a government and laws which will encourage industry, and to secure to them the rewards of their exertions. The importance of some form of government can not be too much insisted upon. The earliest effects will be to diminish the causes and occasions for hostilities among the tribes, to



inspire an interest in the observance of laws to which they will have themselves assented, and to multiply the securities of property and the motives for self-improvement. Intimately connected with this subject is the establishment of the military defenses recommended by the Secretary of War, which have been already referred to. Without them, the Government will be powerless to redeem its pledges of protection to the emigrating Indians against the numerous warlike tribes that surround them, and to provide for the safety of the frontier settlers of the bordering States.

The case of the Seminoles constitutes at present the only exception to the successful efforts of the Government to remove the Indians to the homes assigned them west of the Mississippi. Four hundred of this tribe emigrated in 1836, and fifteen hundred in 1837 and 1838, leaving in the country, it is supposed about two thousand Indians. The continued treacherous conduct of these people; the savage and unprovoked murders they have lately committed, butchering whole families of the settlers of the territory without distinction of age or sex, and making their way into the very center and heart of the country, so that no part of it is free from their ravages; their frequent attacks on the light-houses along that dangerous coast, and the barbarity with which they have murdered the passengers and crews of such vessels as have been wrecked upon the reefs and keys which border the Gulf, leave the Government no alternative but to continue the military operations against them until they are totally expelled from Florida.

There are other motives which would urge the Government to pursue this course toward the Seminoles. The United States have fulfilled in good faith all their treaty stipulations with the Indian tribes, and have, in every other instance, insisted upon a like performance of their obligations. To relax from this salutary rule because the Seminoles have maintained themselves so long in the territory they had relinquished, and, in defiance of their frequent and solemn engagements, still continue to wage a ruthless war against the United States, would not only evince a want of constancy on our part, but be of evil example in our intercourse with other tribes. Experience has



shown that but little is to be gained by the march of armies through a country so intersected with inaccessible swamps and marshes, and which, from the fatal character of the climate, must be abandoned at the end of the winter. I recommend, therefore, to your attention the plan submitted by the Secretary of War in the accompanying report, for the permanent occupation of the portion of the territory freed from the Indians, and the more efficient protection of the people of Florida from their inhuman warfare.

From the report of the Secretary of the Navy herewith transmitted, it will appear that a large portion of the disposable naval force is either actively employed, or in a state of preparation for the purpose of experience and discipline, and the protection of our commerce. So effectual has been this protection, that so far as the information of Government extends, not a single outrage has been attempted on a vessel carrying the flag of the United States, within the present year, in any quarter, however distant or exposed.

The exploring expedition sailed from Norfolk on the 19th of August last; and information has been received of its safe arrival at the island of Madeira. The best spirit animates the officers and crews, and there is every reason to anticipate, from its efforts, results beneficial to commerce and honorable to the Nation.

It will also be seen that no reduction of the force now in commission is contemplated. The unsettled state of a portion of South America renders it indispensable that our commerce should receive protection in that quarter; the vast and increasing interests embarked in the trade of the Indian and China Seas,\* in the whale-fisheries of the Pacific Ocean, and in the Gulf of Mexico, require equal attention to their safety; and a small squadron may be employed to great advantage on our Atlantic Coast, in meeting sudden demands for the re-enforcement of other stations, in aiding merchant vessels in distress, in affording active service to an additional number of officers, and in visiting the different ports of the United States, an accurate knowledge of which is obviously of the highest importance.

The attention of Congress is respectfully called to that

portion of the report recommending an increase in the number of smaller vessels, and to other suggestions contained in that document. The rapid increase and wide expansion of our commerce, which is every day seeking new avenues of profitable adventure; the absolute necessity of a naval force for its protection, precisely in the degree of its extension; a due regard to the national rights and honor; the recollection of its former exploits, and the anticipation of its future triumphs, whenever opportunity presents itself, which we may rightfully indulge from the experience of the past—all seem to point to the navy as a most efficient arm of our national defense, and a proper object of legislative encouragement.

The progress and condition of the Post-office Department will be seen by reference to the report of the Postmaster-General. The extent of post-roads, covered by mail contracts, is stated to be one hundred and thirty-four thousand eight hundred and eighteen miles, and the annual transportation upon them thirty-four millions five hundred and eighty thousand two hundred and two miles. The number of post-offices in the United States is twelve thousand five hundred and fifty-three, and rapidly increasing. The gross revenue for the year ending on the 30th day of June last was four millions two hundred and sixty-two thousand one hundred and forty-five dollars; the accruing expenditures, four millions six hundred and eighty thousand and sixty-eight dollars; excess of expenditures, four hundred and seventeen thousand nine hundred and twenty-three dollars. This has been made up out of the surplus previously on hand. The cash on hand, on the 1st instant, was three hundred and fourteen thousand and sixty-eight dollars. The revenue for the year ending June 30, 1838, was one hundred and sixty-one thousand five hundred and forty dollars more than that for the year ending June 30, 1837. The expenditures of the Department had been graduated upon the anticipation of a largely increased revenue. A moderate curtailment of mail service consequently became necessary, and has been effected to shield the Department against the danger of embarrassment. Its revenue is now improving, and it will soon resume its onward course in the march of improvement.

Your particular attention is requested to so much of the Postmaster-General's report as relates to the transportation of the mails upon railroads. The laws on that subject do not seem adequate to secure that service, now become almost essential to the public interests, and at the same time protect the Department from combinations and unreasonable demands.

Nor can I too earnestly request your attention to the necessity of providing a more secure building for this Department. The danger of destruction to which its important books and papers are continually exposed, as well from the highly combustible character of the building occupied as from that of others in its vicinity, calls loudly for prompt action.

Your attention is again earnestly invited to the suggestions and recommendations submitted at the last session in respect to the District of Columbia.

I feel it my duty, also, to bring to your notice certain proceedings at law which have recently been prosecuted in this district, in the name of the United States, on the relation of Messrs. Stockton and Stokes, of the State of Maryland, against the Postmaster-General, and which have resulted in the payment of money out of the national treasury, for the first time since the establishment of the Government, by judicial compulsion, exercised by the common law writ of mandamus, issued by the circuit court of this district.

The facts of the case, and the grounds of the proceedings, will be found fully stated in the report of the decision; and any additional information which you may desire will be supplied by the proper Department. No interference in the particular case is contemplated. The money has been paid; the claims of the prosecutors have been satisfied; and the whole subject, so far as they are concerned, is finally disposed of; but it is on the supposition that the case may be regarded as an authoritative exposition of the law as it now stands that I have thought it necessary to present it to your consideration.

The object of the application to the circuit court was to compel the Postmaster-General to carry into effect an award made by the Solicitor of the Treasury, under a special act of Congress for the settlement of certain claims of the relators on the Post-office Department, which award the Postmaster-General

declined to execute in full until he should receive further legislative direction on the subject. If the duty imposed on the Postmaster-General by that law was to be regarded as one of an official nature, belonging to his office as a branch of the Executive, then it is obvious that the Constitutional competency of the judiciary to direct and control him in its discharge was necessarily drawn in question. And if the duty so imposed on the Postmaster-General was to be considered as merely ministerial, and not Executive, it yet remained to be shown that the circuit court of this district had authority to interfere by mandamus—such a power having never before been asserted or claimed by that court. With a view to the settlement of these important questions, the judgment of the circuit court was carried, by a writ of error, to the Supreme Court of the United States. In the opinion of that tribunal, the duty imposed on the Postmaster-General was not an official Executive duty, but one of a merely ministerial nature. The grave Constitutional questions which had been discussed were therefore excluded from the decision of the case; the court, indeed, expressly admitting that, with powers and duties properly belonging to the Executive, no other department can interfere by the writ of mandamus; and the question therefore resolved itself into this: Has Congress conferred upon the circuit court of this district the power to issue such a writ to an officer of the General Government, commanding him to perform a ministerial act? A majority of the court have decided that it has; but have founded their decision upon a process of reasoning which, in my judgment, renders further legislative provision indispensable to the public interests and the equal administration of justice.

It has long since been decided by the Supreme Court, that neither that tribunal nor the Circuit Court of the United States, held within the respective States, possesses the power in question; but it is now held that this power, denied to both these high tribunals (to the former by the Constitution, and to the latter by Congress), has been, by its legislation, vested in the circuit court of this district. No such direct grant of power to the circuit court of this district is claimed; but it has been held to result, by necessary implication, from several

sections of the law establishing the court. One of these sections declares that the laws of Maryland, as they existed at the time of the cession, should be in force in that part of the district ceded by that State; and, by this provision, the common law, in civil and criminal cases, as it prevailed in Maryland in 1801, was established in that part of the district.

In England the Court of King's Bench—because the sovereign, who, according to the theory of the Constitution, is the fountain of justice, originally sat there in person, and is still deemed to be present in construction of law—alone possesses the high power of issuing the writ of mandamus, not only to inferior jurisdictions and corporations, but also to magistrates and others, commanding them, in the king's name, to do what their duty requires, in cases where there is a vested right, and no other specific remedy. It has been held, in the case referred to, that, as the Supreme Court of the United States is, by the Constitution, rendered incompetent to exercise this power, and as the circuit court of this district is a court of general jurisdiction in cases at common law, and the highest court of original jurisdiction in the district, the right to issue the writ of mandamus is incident to its common-law powers. Another ground relied upon to maintain the power in question is that it was included, by fair construction, in the power it granted to the circuit courts of the United States by the act "to provide for the more convenient organization of the courts of the United States," passed 13th of February, 1801; that the act establishing the circuit court of this district, passed the 27th of February, 1801, conferred upon that court and the judges thereof the same powers as were by law vested in the circuit courts of the United States and in the judges of the said courts; that the repeal of the first-mentioned act, which took place in the next year, did not divest the circuit court of this district of the authority in dispute, but left it still clothed with the powers over the subject which, it is conceded, were taken away from the circuit courts of the United States by the repeal of the act of 13th February, 1801.

Admitting that the adoption of the laws of Maryland for a portion of this district confers on the circuit court thereof, in that portion, the transcendent extra-judicial prerogative



powers of the Court of King's Bench, in England, or that either of the acts of Congress, by necessary implication, authorizes the former court to issue a writ of mandamus to an officer of the United States, to compel him to perform a ministerial duty, the consequences are in one respect the same. The result in either case is that the officers of the United States, stationed in different parts of the United States, are, in respect to the performance of their official duties, subject to different laws and a different supervision—those in the States to one rule, and those in the District of Columbia to another and a very different one. In the district their official conduct is subject to a judicial control from which in the State they are exempt.

Whatever difference of opinion may exist as to the expediency of vesting such a power in the judiciary, in a system of government constituted like that of the United States, all must agree that these disparaging discrepancies in the law, and in the administration of justice, ought not to be permitted to continue; and, as Congress alone can provide the remedy, the subject is unavoidably presented to your consideration.

This message touches all the points of interest in the public affairs of the country since the last session of Congress, and indicates no departure from the course announced at the outset of the Administration. The President, following the method of his predecessor, felt called upon at this time to make a defense of the policy of the "Government" in dealing with the Indians.

At the last session the charge of fraud was made against the present and former Administrations leading to the expensive war now going on in Florida. The necessary facts in this Seminole War will appear in another chapter.

The message develops sufficiently many points



connected with this history, making any reference to them unnecessary. The faith of the President in the "independent treasury" is still undiminished, and showing its perfect reliability and advisability in its practice substantially since the suspension of the banks in May, 1837, he again recommends the plan to Congress, with that tenacity which distinguished his predecessor's attacks upon the Bank of the United States, and some other things.

The measures acted upon in this short session of Congress were of no great general importance. Provisions were made for the Florida war; an act was passed relieving certain cases in the folly of imprisonment for debt; and the authority of the President was increased for defensive purposes in case of difficulty with England growing out of the Canadian insurrection or the inter-boundary question which had been running on since the peace of 1783. The War of 1812 should have furnished a solution to this troublesome matter by the conquest of all the British possessions on the north. The ultimate benefits of this piece of good fortune to both nations would have been beyond estimate.

In 1838 all the banks which could do so resumed specie payment. At the head of this unaccountable movement were the New York banks, and finally in August, the old Bank of the United States followed suit. Others, here and there, were led by it to the same step. The benefits of the suspension were not at that time very apparent,

and the sudden and unexpected resumption cast suspicion on the entire course of the banks. The Bank of the United States had opposed resumption, and now when it was forced into this act, it was held forth as another attempt on its part to serve the best interests of the country.

In this state of the case, on the 30th of the following March, Mr. Biddle resigned his position as president of the Bank with the plea that his long connection with it, and its great present prosperity, justified him in taking the step. But in October, 1839, the Bank closed its door upon its creditors, and virtually ended its career. Many banks depending upon it followed, and to a great extent, the monetary troubles of 1837 were repeated. Some of the recent pretensions of the Bank had not been good. Its strong representations of soundness were entirely fictitious; and this and some of its unwarrantable and illegal proceedings toward the close of Mr. Biddle's connection with it were not to his honor. The fall of this vast moneyed institution and the great general financial disaster accompanying it mark a peculiarly interesting era in the history of this Nation.

The struggle was long and hard, and although a better way might, perhaps, have been devised for destroying the Bank of the United States, the result became vastly beneficial to the country. Before it the battle of New Orleans shrinks into diminutive proportions. It was Andrew Jackson's greatest feat, although he may have accomplished

it without the motives, incentives, and means of a statesman.

In the summer of 1839, President Van Buren made a visit to New York for the first time after entering the White House, and although he was received with the usual demonstrations of respect for the President, his journey was not greatly to his advantage politically. In many public affairs of this kind there seems destined to be placed some indiscreet person whose business it is to ruin or injure the cause of his friends. This misfortune Mr. Van Buren did not escape. At New York the "Administration" reception committee appointed John W. Edmonds, once a State Senator, to receive the President in a suitable speech. But Edmonds so shaped his speech on behalf of the people, as to drag into prominence the New York Democracy, thus leading Mr. Van Buren in his reply, to refer to the people as his "Democratic Fellow-citizens" greatly to the disgust of many who were prepared to welcome him as President. The opposition newspapers criticised the turn in the affair and more than intimated that the tour was more an electioneering expedition than a kindly visit to his native State.

The course Mr. Van Buren pursued as to the Canadian insurrection, perhaps, diminished his support, although it was wise and just, no matter what were the grounds of revolt among British subjects. William Lyon McKenzie, a Scotchman, of Upper Canada, who was concerned in this rebellion, got into

prison at Rochester, New York, and owing to the President's interference in his case, and the part he generally took in the unadvised outbreak, the country was afflicted with McKenzie's unreadable, ridiculous, exaggerated, strained, unreliable, untrue, and more or less foolish, "Life and Times of Martin Van Buren."

The moderate and cautious course of Mr. Van Buren in relation to the disputed boundary between Maine and New Brunswick, mainly quelled the disposition on the part of the contending sides to open conflict of arms. The United States claimed exclusive jurisdiction to a part of the territory within the disputed boundaries, and England made a similar claim, but both countries deferentially abstained for many years from making improvements in the disputed territory, or from using the timber. But Maine had become greatly excited by the overrunning of this territory by citizens of New Brunswick engaged in the destruction of timber and in committing other depredations and outrages. This conduct led to a warlike display on both sides, and between this and the Canadian rebellion, the management of the relations with England became a matter of great moment to President Van Buren. His proclamation, to some extent, corrected the disposition of Americans to interfere in the Canada difficulties, and his efforts with the Governor of Maine and the representatives of Great Britain prevented extreme measures on the New Brunswick border; his own opinion being favorable to an amicable settlement

of the old boundary question, if not by renewed direct effort, or by leaving it still in deferential suspense, then by referring the whole case to a third power for arbitration. But this matter is set out with sufficient fullness in Mr. Van Buren's next annual message.

## CHAPTER XVIII.

GREAT CONTEST IN ORGANIZING THE HOUSE—THIRD  
ANNUAL MESSAGE.

NOTWITHSTANDING the lack of popularity in Mr. Van Buren's Administration, the Whigs did not succeed in the elections of 1839, as they had done for the two previous years. In fact, they now met defeat where they had been successful in 1837. There was apparently a reaction in his favor. He had appealed to the sober second thought of the people. Mr. Van Buren had claimed, however, that his first message to Congress was written for posterity. In the contest for the elections for Congress in 1839, great efforts were made by the Administration party, and the result seriously disturbed the Whigs. The returns gave 119 Representatives to the Van Buren men, and 118 to the opposition, with five contested seats in New Jersey. On the 2d of December, 1839, Congress ("first session of the 26th Congress") convened. In calling the roll, the clerk of the "last House" recognized one of the six members from New Jersey, and declined to call the five having certificates that were contested. This conduct of the clerk led to a debate which continued until the 5th, when Mr. Adams moved for the appointment of a temporary chairman, who would do the will of the House, and was himself chosen under



great excitement for that purpose. The fight over the organization then continued until the 16th, when Robert M. T. Hunter, a supporter of the Treasury plan of President Van Buren, was elected Speaker by a vote of 119 to 113.

A few days afterward a resolution to admit to seats in the house the five Whigs with certificates from the Governor of New Jersey, was voted down by a small majority (116 to 112). The Administration members for the same seats had been sworn in on the 17th, thus securing a bare working majority in the House. The clerk was not elected until the 21st, and the organization of Congress completed. This contest in the organization had not been one of principle, nor of right or wrong. It had been a contest merely for party supremacy, party control and preponderance in the House. That the proceedings had been subversive of principles of justice and true democracy, was a matter of little consequence. One branch of Congress, at least, had now become an instrument of party corruption and domination. A new leaf had been made in the history of Congress, which had not been possible in the first thirty or forty years of the Republic.

The President now sent to Congress his

### THIRD ANNUAL MESSAGE.

*December 24, 1839.*

FELLOW-CITIZENS OF THE SENATE AND HOUSE OF REPRESENTATIVES:—

I regret that I can not, on this occasion, congratulate you that the past year has been one of unalloyed prosperity. The ravages of fire and disease have painfully afflicted otherwise

flourishing portions of our country; and serious embarrassments yet derange the trade of many of our cities. But, notwithstanding these adverse circumstances, that general prosperity which has been heretofore so bountifully bestowed upon us by the Author of all good, still continues to call for our warmest gratitude. Especially have we reason to rejoice in the exuberant harvests which have lavishly recompensed well-directed industry, and given to it that sure reward which is vainly sought in visionary speculations. I can not indeed view, without peculiar satisfaction, the evidences afforded by the past season of the benefits that spring from the steady devotion of the husbandman to his honorable pursuit. No means of individual comfort is more certain, and no source of national prosperity is so sure. Nothing can compensate a people for a dependence upon others for the bread they eat; and that cheerful abundance on which the happiness of every one so much depends, is to be looked for nowhere with such sure reliance as in the industry of the agriculturist and the bounties of the earth.

With foreign countries our relations exhibit the same favorable aspect which was presented in my last annual message, and afford continued proof of the wisdom of the pacific, just, and forbearing policy adopted by the first Administration of the Federal Government, and pursued by its successors. The extraordinary powers vested in me by an act of Congress, for the defense of the country in an emergency, considered so far probable as to require that the Executive should possess ample means to meet it, have not been exerted. They have, therefore, been attended with no other result than to increase, by the confidence thus reposed in me, my obligations to maintain, with religious exactness, the cardinal principles that govern our intercourse with other nations. Happily, in our pending questions with Great Britain, out of which this unusual grant of authority arose, nothing has occurred to require its exertion; and as it is about to return to the Legislature, I trust that no future necessity may call for its exercise by them, or its delegation to another department of the Government.

For the settlement of our north-eastern boundary, the proposition promised by Great Britain for a commission of exploration and survey, has been received, and a counter project,

including also a provision for the certain and final adjustment of the limits in dispute, is now before the British government for its consideration. A just regard to the delicate state of this question, and a proper respect for the natural impatience of the State of Maine, not less than a conviction that the negotiation has been already protracted longer than is prudent on the part of either government, have led me to believe that the present favorable moment should, on no account, be suffered to pass without putting the question forever at rest. I feel confident that the government of her Britannic majesty will take the same view of this subject, as I am persuaded it is governed by desires equally strong and sincere for the amicable termination of the controversy.

To the intrinsic difficulties of questions of boundary lines, especially those described in regions unoccupied, and but partially known, is to be added in our country the embarrassment necessarily arising out of our Constitution, by which the General Government is made the organ of negotiating and deciding upon the particular interests of the States on whose frontiers these lines are to be traced. To avoid another controversy in which a State government might rightfully claim to have her wishes consulted, previously to the conclusion of conventional arrangements concerning her rights of jurisdiction or territory, I have thought it necessary to call the attention of the government of Great Britain to another portion of our conterminous dominion, of which the division still remains to be adjusted. I refer to the line from the entrance of Lake Superior to the most north-western point of the Lake of the Woods, stipulations for the settlement of which are to be found in the seventh article of the Treaty of Ghent. The commissioners appointed under that article by the two governments having differed in their opinions, made separate reports, according to its stipulations, upon the points of disagreement, and these differences are now to be submitted to the arbitration of some friendly sovereign or State. The disputed points should be settled, and the line designated, before the Territorial government of which it is one of the boundaries takes its place in the Union as a State, and I rely upon the cordial co-operation of the British government to effect that object.

There is every reason to believe that disturbances, like those which lately agitated the neighboring British provinces, will not again prove the sources of border contentions, or interpose obstacles to the continuance of that good understanding which it is the mutual interest of Great Britain and the United States to preserve and maintain.

Within the provinces themselves tranquillity is restored, and on our frontier, that misguided sympathy in favor of what was presumed to be a general effort in behalf of popular rights, and which in some instances misled a few of our more inexperienced citizens, has subsided into a rational conviction strongly opposed to all intermeddling with the internal affairs of our neighbors. The people of the United States feel, as it is hoped they always will, a warm solicitude for the success of all who are sincerely endeavoring to improve the political condition of mankind. This generous feeling they cherish toward the most distant nations; and it was natural, therefore, that it should be awakened with more than common warmth in behalf of their immediate neighbors. But it does not belong to their character, as a community, to seek the gratification of those feelings in acts which violate their duty as citizens, endanger the peace of their country, and tend to bring upon it the stain of a violated faith toward foreign nations. If, zealous to confer benefits on others, they appear for a moment to lose sight of the permanent obligations imposed upon them as citizens, they are seldom long misled. From all the information I receive, confirmed to some extent by personal observation, I am satisfied that no one can now hope to engage in such enterprises without encountering public indignation, in addition to the severest penalties of the law.

Recent information also leads me to hope that the emigrants from her majesty's provinces, who have sought refuge within our boundaries, are disposed to become peaceable residents, and to abstain from all attempts to endanger the peace of that country which has afforded them an asylum. On a review of the occurrences on both sides of the line, it is satisfactory to reflect, that in almost every complaint against our country, the offense may be traced to emigrants from the provinces who have sought refuge here. In the few instances

in which they were aided by citizens of the United States, the acts of these misguided men were not only in direct contravention of the laws and well-known wishes of their own government, but met with the decided disapprobation of the people of the United States.

I regret to state the appearance of a different spirit among her majesty's subjects in the Canadas. The sentiments of hostility to our people and institutions which have been so frequently expressed there, and the disregard of our rights which has been manifested on some occasions, have, I am sorry to say, been applauded and encouraged by the people, and even by some of the subordinate local authorities of the provinces. The chief officers in Canada fortunately have not entertained the same feeling, and have probably prevented excesses that must have been fatal to the peace of the two countries.

I look forward anxiously to a period when all the transactions which have grown out of this condition of our affairs, and which have been made the subjects of complaint and remonstrance by the two governments respectively, shall be fully examined, and the proper satisfaction given where it is due from either side.

Nothing has occurred to disturb the harmony of our intercourse with Austria, Belgium, Denmark, France, Naples, Portugal, Prussia, Russia, or Sweden. The internal state of Spain, has sensibly improved, and a well-grounded hope exists that the return of peace will restore to the people of that country their former prosperity, and enable the government to fulfill all its obligations at home and abroad. The government of Portugal, I have the satisfaction to state, has paid in full the eleventh and last installment due to our citizens for the claims embraced in the settlement made with it on the 3d of March, 1837.

I lay before you treaties of commerce negotiated with the kings of Sardinia and of the Netherlands, the ratifications of which have been exchanged since the adjournment of Congress. The liberal principles of these treaties will recommend them to your approbation. That with Sardinia is the first treaty of commerce formed by that kingdom, and it will, I



trust, answer the expectations of the present sovereign, by aiding the development of the resources of his country, and stimulating the enterprise of his people. That with the Netherlands happily terminates a long-existing subject of dispute and removes from our future commercial intercourse all apprehension of embarrassment. The king of the Netherlands has also, in further illustration of his character for justice and of his desire to remove every cause of dissatisfaction, made compensation for an American vessel captured in 1800 by a French privateer, and carried into Curaçoa, where the proceeds were appropriated to the use of the colony then, and for a short time after, under the dominion of Holland.

The death of the late sultan has produced no alteration in our relations with Turkey. Our newly appointed minister resident has reached Constantinople, and I have received assurances from the present ruler that the obligations of our treaty and those of friendship will be fulfilled by himself in the same spirit that actuated his illustrious father.

I regret to be obliged to inform you that no convention for the settlement of the claims of our citizens upon Mexico has yet been ratified by the government of that country. The first convention formed for that purpose was not presented by the President of Mexico for the approbation of its Congress, from a belief that the king of Prussia, the arbitrator in case of disagreement in the joint commission to be appointed by the United States and Mexico, would not consent to take upon himself that friendly office.

Although not entirely satisfied with the course pursued by Mexico, I felt no hesitation in receiving in the most conciliatory spirit the explanation offered, and also cheerfully consented to a new convention in order to arrange the payments proposed to be made to our citizens in a manner which, while equally just to them, was deemed less onerous and inconvenient to the Mexican government. Relying confidently upon the intentions of that government, Mr. Ellis was directed to repair to Mexico, and diplomatic intercourse has been resumed between the two countries. The new convention has, he informs us, been recently submitted by the President of that Republic to its Congress, under



circumstances which promise a speedy ratification; a result which I can not allow myself to doubt.

Instructions have been given to the Commissioner of the United States under our convention with Texas, for the demarkation of the line which separates us from that Republic. The commissioners of both governments met in New Orleans in August last. The joint commission was organized and adjourned to convene at the same place on the 12th of October. It is presumed to be now in the performance of its duties.

The new government of Texas has shown its desire to cultivate friendly relations with us by a prompt reparation for injuries complained of in the cases of two vessels of the United States.

With Central America a convention has been concluded for the renewal of its former treaty with the United States. This was not ratified before the departure of our late chargé d'affaires from that country, and the copy of it brought by him was not received before the adjournment of the Senate at its last session. In the meanwhile, the period limited for the exchange of ratifications having expired, I deemed it expedient, in consequence of the death of the chargé d'affaires, to send a special agent to Central America to close the affairs of our mission there, and to arrange with the government an extension of the time for the exchange of ratifications.

The commission created by the States which formerly composed the Republic of Colombia, for adjusting the claims against that government, has, by a very unexpected construction of the treaty under which it acts, decided that no provision was made for those claims of citizens of the United States which arose from captures by Colombian privateers, and were adjudged against the claimants in the judicial tribunals. This decision will compel the United States to apply to the several governments formerly united for redress. With all these—New Grenada, Venezuela, and Ecuador—a perfectly good understanding exists. Our treaty with Venezuela is faithfully carried into execution, and that country, in the enjoyment of tranquillity, is gradually advancing to prosperity under the guidance of its present distinguished President, General Paez.

With Ecuador a liberal commercial convention has lately been concluded, which will be transmitted to the Senate at an early day.

With the great American empire of Brazil our relations continue unchanged, as does our friendly intercourse with the other governments of South America—the Argentine Republic and the republics of Uruguay, Chili, Peru, and Bolivia. The dissolution of the Peru-Bolivian Confederation may occasion some temporary inconvenience to our citizens in that quarter, but the obligations on the new governments which have arisen out of that confederation, to observe its treaty stipulations, will no doubt be soon understood, and it is presumed that no indisposition will exist to fulfill those which it contracted with the United States.

The financial operations of the Government during the present year have, I am happy to say, been very successful. The difficulties under which the Treasury Department has labored, from known defects in the existing laws relative to the safe-keeping of the public moneys, aggravated by the suspension of specie payments by several of the banks holding public deposits, or indebted to public officers for notes received in payment of public dues, have been surmounted to a very gratifying extent. The large current expenditures have been punctually met, and the faith of the Government in all its pecuniary concerns has been scrupulously maintained.

The nineteen millions of treasury-notes authorized by the act of Congress of 1837, and the modifications thereof, with a view to the indulgence of merchants on their duty bonds, and of the deposit banks in the payment of public moneys held by them, have been so punctually redeemed as to leave less than the original ten millions outstanding at any one time, and the whole amount unredeemed now falls short of three millions. Of these the chief portion is not due till next year, and the whole would have been already extinguished could the Treasury have realized the payments due to it from the banks. If those due from them during the next year shall be punctually made, and if Congress shall keep the appropriations within the estimates, there is every reason to believe that all the outstanding treasury-notes can be redeemed, and the ordi-

nary expenses defrayed, without imposing on the people any additional burden, either of loans or increased taxes. To avoid this, and to keep the expenditures within reasonable bounds, is a duty second only in importance to the preservation of our national character, and the protection of our citizens in their civil and political rights. The creation, in time of peace, of a debt likely to become permanent is an evil for which there is no equivalent. The rapidity with which many of the States are apparently approaching this condition admonishes us of our own duties in a manner too impressive to be disregarded. One, not the least important, is to keep the Federal Government always in a condition to discharge with ease and vigor its highest functions, should their exercise be required by any sudden conjuncture of public affairs—a condition to which we are always exposed, and which may occur when least expected. To this end it is indispensable that its finances should be untrammelled, and its resources, as far as practicable, unincumbered. No circumstance could present greater obstacles to the accomplishment of these vitally important objects than the creation of an onerous national debt. Our own experience, and also that of other nations, has demonstrated the unavoidable and fearful rapidity with which a public debt is increased when the Government has once surrendered itself to the ruinous practice of supplying its supposed necessities by new loans. The struggle, therefore, on our part, to be successful, must be made at the threshold. To make our efforts effective, severe economy is necessary. This is the surest provision for the national welfare; and it is, at the same time, the best preservative of the principles on which our institutions rest. Simplicity and economy in the affairs of State have never failed to chasten and invigorate republican principles, while these have been as surely subverted by national prodigality, under whatever specious pretext it may have been introduced or fostered.

These considerations can not be lost upon a people who have never been inattentive to the effect of their policy upon the institutions they have created for themselves; but at the present moment their force is augmented by the necessity which a decreasing revenue must impose. The check lately given to importations of articles subject to duties, the derangements in

the operations of internal trade, and especially the reduction gradually taking place in our tariff of duties, all tend materially to lessen our receipts; indeed, it is probable that the diminution resulting from the last cause alone will not fall far short of five millions of dollars in the year 1842, as the final reduction of all duties to twenty per cent then takes effect. The whole revenue then accruing from the customs, and from the sales of public lands, if not more, will undoubtedly be wanted to defray the necessary expenses of the Government under the most prudent administration of its affairs. These are circumstances that impose the necessity of rigid economy, and require its prompt and constant exercise. With the Legislature rest the power and duty of so adjusting the public expenditure as to promote this end. By the provisions of the Constitution it is only in consequence of appropriations made by law that money can be drawn from the Treasury; no instance has occurred since the establishment of the Government in which the Executive, though a component part of the legislative power, has interposed an objection to an appropriation bill on the sole ground of its extravagance. His duty in this respect has been considered as fulfilled by requesting such appropriations only as the public service may be reasonably expected to require. In the present earnest direction of the public mind toward this subject, both the Executive and the Legislature have evidence of the strict responsibility to which they will be held; and while I am conscious of my own anxious efforts to perform with fidelity this portion of my public functions, it is a satisfaction to me to be able to count on a cordial co-operation from you.

At the time I entered upon my present duties, our ordinary disbursements—without including those on account of the public debt, the post-office, and the trust funds in charge of the Government—had been largely increased by appropriations for the removal of the Indians, for repelling Indian hostilities, and for other less urgent expenses which grew out of an overflowing Treasury. Independent of the redemption of the public debt and trusts, the gross expenditures of seventeen and eighteen millions in 1834 and 1835 had, by these causes, swelled to twenty-nine millions in 1836; and the appropriations for 1837,

made previously to the 4th of March, caused the expenditures to rise to the very large amount of thirty-three millions. We were enabled during the year 1838, notwithstanding the continuance of our Indian embarrassments, somewhat to reduce this amount; and that for the present year, 1839, will not, in all probability, exceed twenty-six millions—or six millions less than it was last year. With a determination, so far as depends on me, to continue this reduction, I have directed the estimates for 1840 to be subjected to the severest scrutiny, and to be limited to the absolute requirements of the public service. They will be found less than the expenditures of 1839 by over five millions of dollars.

The precautionary measures which will be recommended by the Secretary of the Treasury, to protect faithfully the public credit under the fluctuations and contingencies to which our receipts and expenditures are exposed, and especially in a commercial crisis like the present, are commended to your early attention.

On a former occasion your attention was invited to various considerations in support of a pre-emption law in behalf of the settlers on the public lands; and also of a law graduating the prices for such lands as had been long in the market unsold, in consequence of their inferior quality. The execution of the act which was passed on the first subject has been attended with the happiest consequences in quieting titles, and securing improvements to the industrious; and it has also, to a very gratifying extent, been exempt from the frauds which were practiced under previous pre-emption laws. It has, at the same time, as was anticipated, contributed liberally during the present year to the receipts of the Treasury.

The passage of a graduation law, with the guards before recommended, would also, I am persuaded, add considerably to the revenue for several years, and prove in other respects just and beneficial.

Your early consideration of the subject is, therefore, once more earnestly requested.

The present condition of the defenses of our principal sea-ports and navy-yards, as represented by the accompanying report of the Secretary of War, calls for the early and serious



attention of Congress; and, as connecting itself intimately with this subject, I can not recommend too strongly to your consideration the plan submitted by that officer for the organization of the militia of the United States.

In conformity with the expressed wishes of Congress an attempt was made in the spring to terminate the Florida war by negotiation. It is to be regretted that these humane intentions should have been frustrated, and that the effort to bring these unhappy difficulties to a satisfactory conclusion should have failed. But after entering into solemn engagements with the commanding general, the Indians, without any provocation, recommenced their acts of treachery and murder. The renewal of hostilities in that territory renders it necessary that I should recommend to your favorable consideration the plan which will be submitted to you by the Secretary of War, in order to enable that Department to conduct them to a successful issue.

Having had an opportunity of personally inspecting a portion of the troops during the last summer, it gives me pleasure to bear testimony to the success of the effort to improve their discipline, by keeping them together in as large bodies as the nature of our service will permit. I recommend, therefore, that commodious and permanent barracks be constructed at the several posts designated by the Secretary of War. Notwithstanding the high state of their discipline and excellent police, the evils resulting to the service from the deficiency of company officers were very apparent, and I recommend that the staff officers be permanently separated from the line.

The navy has been usefully and honorably employed in protecting the rights and property of our citizens, wherever the condition of affairs seemed to require its presence. With the exception of one instance, where an outrage, accompanied by murder, was committed on a vessel of the United States while engaged in a lawful commerce, nothing is known to have occurred to impede or molest the enterprise of our citizens on that element where it is so signally displayed. On learning of this daring act of piracy, Commodore Reed proceeded immediately to the spot; and, receiving no satisfaction, either in the surrender of the murderers, or the restoration of the



plundered property, inflicted severe and merited chastisement on the barbarians.

It will be seen by the report of the Secretary of the Navy, respecting the disposition of our ships-of-war, that it has been deemed necessary to station a competent force on the coast of Africa, to prevent a fraudulent use of our flag by foreigners.

Recent experience has shown that the provisions in our existing laws, which relate to the sale and transfer of American vessels while abroad, are extremely defective. Advantage has been taken of these defects to give to vessels wholly belonging to foreigners, and navigating the ocean, an apparent American ownership. This character has been so well simulated as to afford them comparative security in prosecuting the slave-trade—a traffic emphatically denounced in our statutes, regarded with abhorrence by our citizens, and of which the effectual suppression is nowhere more sincerely desired than in the United States. These circumstances make it proper to recommend to your early attention a careful revision of these laws, so that, without impeding the freedom and facilities of our navigation, or impairing an important branch of our industry connected with it, the integrity and honor of our flag may be carefully preserved. Information from our consul at Havana, showing the necessity of this, was communicated to a committee of the Senate, near the close of the last session, but too late, as it appeared, to be acted upon. It will be brought to your notice by the proper department, with additional communications from other sources.

The latest accounts from the exploring expedition represent it as proceeding successfully in its objects, and promising results no less useful to trade and navigation than to science.

The extent of post-roads covered by mail service on the 1st of July last was about one hundred and thirty-three thousand nine hundred and ninety-nine miles; and the rate of annual transportation upon them thirty-four millions four hundred and ninety-six thousand eight hundred and seventy-eight miles. The number of post-offices on that day was twelve thousand seven hundred and eighty; and on the 30th ultimo thirteen thousand and twenty-eight.

The revenue of the Post-office Department for the year

ending with the 30th of June last was four millions four hundred and seventy-six thousand six hundred and thirty-eight dollars—exhibiting an increase over the preceding year of two hundred and forty-one thousand five hundred and sixty dollars. The engagements and liabilities of the Department, for the same period, are four millions six hundred and twenty-four thousand one hundred and seventeen dollars.

The excess of liabilities over the revenue for the last two years has been met out of the surplus which had previously accumulated. The cash on hand, on the 30th ultimo, was about two hundred and six thousand seven hundred and one dollars and ninety-five cents; and the current income of the Department varies very little from the rate of current expenditures. Most of the service suspended last year has been restored; and most of the new routes established by the act of 7th July, 1838, have been set in operation at an annual cost of one hundred and thirty-six thousand nine hundred and sixty-three dollars. Notwithstanding the pecuniary difficulties of the country, the revenue of the Department appears to be increasing; and unless it shall be seriously checked by the recent suspension of payment by so many of the banks, it will be able, not only to retain the present mail service, but in a short time to extend it. It is gratifying to witness the promptitude and fidelity with which the agents of this Department in general perform their public duties.

Some difficulties have arisen in relation to contracts for the transportation of the mails by railroad and steamboat companies. It appears that the maximum of compensation provided by Congress for the transportation of the mails upon railroads is not sufficient to induce some of the companies to convey them at such hours as are required for the accommodation of the public. It is one of the most important duties of the General Government to provide and maintain for the people of the States the best practicable mail establishment. To arrive at that end it is indispensable that the Post-office Department shall be enabled to control the hours at which the mails shall be carried over railroads, as it now does over all other roads. Should serious inconveniences arise from the inadequacy of the compensation now provided by law, or by unreasonable

demands from any of the railroad companies, the subject is of such general importance as to require the prompt attention of Congress.

In relation to steamboat lines, the most efficient remedy is obvious, and has been suggested by the Postmaster-General.

The War and Navy Departments already employ steamboats in their service; and, although it is by no means desirable that the Government should undertake the transportation of passengers or freight as a business, there can be no reasonable objection to running boats, temporarily, whenever it may be necessary to put down attempts at extortion, to be discontinued as soon as reasonable contracts can be obtained.

The suggestions of the Postmaster-General relative to the inadequacy of the legal allowance to witnesses in cases of prosecutions for mail depredations, merit your serious consideration. The safety of the mails requires that such prosecutions shall be efficient, and justice to the citizen, whose time is required to be given to the public, demands not only that his expenses shall be paid, but that he shall receive a reasonable compensation.

The reports from the War, Navy, and Post-office Departments, will accompany this communication, and one from the Treasury Department will be presented to Congress in a few days.

For various details in respect to the matters in charge of these Departments, I would refer you to those important documents, satisfied that you will find in them many valuable suggestions, which will be found well deserving the attention of the Legislature.

From a report made in December of last year by the Secretary of State, to the Senate, showing the trial docket of each of the circuit courts, and the number of miles each judge has to travel in the performance of his duties, a great inequality appears in the amount of labor assigned to each judge. The number of terms to be held in each of the courts composing the ninth circuit, the distances between the places at which they sit, and thence to the seat of Government, are represented to be such as to render it impossible for the judge of that circuit to perform, in a manner corresponding with the

public exigencies, his term and circuit duties. A revision, therefore, of the present arrangement of the circuit seems to be called for, and is recommended to your notice.

I think it proper to call your attention to the power assumed by Territorial Legislatures to authorize the issue of bonds by corporate companies on the guarantee of the Territory. Congress passed a law in 1836, providing that no act of a Territorial Legislature incorporating banks should have the force of law until approved by Congress; but acts of a very exceptionable character previously passed by the Legislature of Florida, were suffered to remain in force, by virtue of which bonds may be issued to a very large amount by those institutions, upon the faith of the Territory. A resolution, intended to be a joint one, passed the Senate at the same session, expressing the sense of Congress that the laws in question ought not to be permitted to remain in force unless amended in many material respects; but it failed in the House of Representatives for want of time, and the desired amendments have not been made. The interests involved are of great importance, and the subject deserves your early and careful attention.

The continued agitation of the question relative to the best mode of keeping and disbursing the public money, still injuriously affects the business of the country. The suspension of specie payments in 1837 rendered the use of deposit banks, as prescribed by the act of 1836, a source rather of embarrassment than aid, and of necessity placed the custody of most of the public money afterward collected in charge of the public officers. The new securities for its safety, which this required, were a principal cause of my convening an extra session of Congress; but in consequence of a disagreement between the two Houses, neither then, or at any subsequent period, has there been any legislation on the subject. The effort made at the last session to obtain the authority of Congress to punish the use of public money for private purposes as a crime, a measure attended under other governments with signal advantage, was also unsuccessful, from diversities of opinion in that body, notwithstanding the anxiety doubtless felt by it to afford every practicable security. The result of this is still to leave

the custody of the public moneys without those safeguards which have been for several years earnestly desired by the Executive; and as the remedy is only to be found in the action of the Legislature, it imposes on me the duty of again submitting to you the propriety of passing a law providing for the safe-keeping of the public moneys, and especially to ask that its use for private purposes by any officers intrusted with it, may be declared to be a felony, punishable with penalties proportioned to the magnitude of the offense. .

These circumstances, added to known defects in the existing laws, and unusual derangement in the general operations of trade, have, during the last three years, much increased the difficulties attendant on the collection, keeping, and disbursement of the revenue, and called forth corresponding exertions from those having them in charge. Happily, these have been successful beyond expectation. Vast sums have been collected and disbursed by the several Departments with unexpected cheapness and ease; transfers have been readily made to every part of the Union, however distant; and defalcations have been far less than might have been anticipated, from the absence of adequate legal restraints. Since the officers of the Treasury and Post-office Departments were charged with the custody of most of the public moneys, there have been collected sixty-six millions of dollars, and, excluding the case of the late collector at New York, the aggregate amount of losses sustained in the collection can not, it is believed, exceed sixty thousand dollars. The defalcation of the late collector of that city, of the extent and circumstances of which Congress has been fully informed, ran through all the modes of keeping the public money that have been hitherto in use, and was distinguished by an aggravated disregard of duty, that broke through the restraints of every system, and can not, therefore, be usefully referred to as a test of the comparative safety of either.

Additional information will also be furnished by the report of the Secretary, in reply to a call made upon that officer by the House of Representatives at the last session, requiring detailed information on the subject of defaults by public officers or agents, under each Administration, from 1789 to 1837. This document will be submitted to you in a few days. The



general results (independent of the Post-office, which is kept separately, and will be stated by itself), so far as they bear upon this subject, are, that the losses which have been, and are likely to be, sustained by any class of agents have been—the greatest by banks, including, as required in the resolution, their depreciated paper received for public dues; that the next largest have been by disbursing officers, and the least by collectors and receivers. If the losses on duty bonds are included, they will alone be threefold those by both collectors and receivers. Our whole experience, therefore, furnishes the strongest evidence that the desired legislation of Congress is alone wanting to insure in those operations the highest degree of security and facility. Such also appears to have been the experience of other nations. From the results of inquiries made by the Secretary of the Treasury in regard to the practice among them, I am enabled to state that, in twenty-two out of twenty-seven foreign governments, from which undoubted information has been obtained, the public moneys have been kept in charge of public officers. This concurrence of opinion in favor of that system is perhaps as great as exists on any question of internal administration.

In the modes of business and official restraints on disbursing officers, no legal change was produced by the suspension of specie payments. The report last referred to will be found to contain also much useful information in relation to this subject.

I have heretofore assigned to Congress my reasons for believing that the establishment of an independent National Treasury, as contemplated by the Constitution, is necessary to the safe action of the Federal Government. The suspension of specie payments in 1837, by the banks having the custody of the public money, showed, in so alarming a degree, our dependence on those institutions for the performance of duties required by law, that I then recommended the entire dissolution of that connection. This recommendation has been subjected, as I desired it should be, to severe scrutiny and animated discussion; and I allow myself to believe that, notwithstanding the natural diversities of opinion which may be anticipated on all subjects involving such important consid-



erations, it has secured in its favor as general a concurrence of public sentiment as could be expected on one of such magnitude.

Recent events have also continued to develop new objections to such a connection. Seldom is any bank under existing laws able to meet, on demand, all its liabilities for deposits and notes in circulation. It maintains specie payments, and transacts a profitable business, only by the confidence of the public in its solvency; and whenever this is destroyed, the demands of its depositors and note-holders—pressed more rapidly than it can make collections from its debtors—force it to stop payment. This loss of confidence, with its consequences, occurred in 1837, and afforded the apology of the banks for their suspension. The public then acquiesced in the validity of the excuse; and while the State Legislatures did not exact from them their forfeited charters, Congress, in accordance with the recommendation of the Executive, allowed them time to pay over the public money they held, although compelled to issue treasury-notes to supply the deficiencies thus created.

It now appears that there are other motives than a want of public confidence under which the banks seek to justify themselves in a refusal to meet their obligations. Scarcely were the country and Government relieved, in a degree, from the difficulties occasioned by the general suspension of 1837, when a partial one, occurring within thirty months of the former, produced new and serious embarrassments, though it had no palliation in such circumstances as were alleged in justification of that which had previously taken place. There was nothing in the condition of the country to endanger a well-managed banking institution; commerce was deranged by no foreign war; every branch of manufacturing industry was crowned with rich rewards; and the more than usual abundance of our harvests, after supplying our domestic wants, had left our granaries and store-houses filled with a surplus for exportation. It is in the midst of this, that an irredeemable and depreciated paper currency is entailed upon the people by a large portion of the banks. They are not driven to it by the exhibition of a loss of public confidence, or of a sudden pressure from their depositors or note-holders; but they excuse

themselves by alleging that the current of business, and exchange with foreign countries, which draws the precious metals from their vaults, would require, in order to meet it, a larger curtailment of their loans to a comparatively small portion of the community than it will be convenient for them to bear, or perhaps safe for the banks to exact. The plea has ceased to be one of necessity. Convenience and policy are now deemed sufficient to warrant these institutions in disregarding their solemn obligations. Such conduct is not merely an injury to individual creditors, but it is a wrong to the whole community, from whose liberality they hold most valuable privileges—whose rights they violate, whose business they derange, and the value of whose property they render unstable and insecure. It must be evident that this new ground for bank suspensions, in reference to which their action is not only disconnected with, but wholly independent of, that of the public, gives a character to their suspensions more alarming than any which they exhibited before, and greatly increases the impropriety of relying on the banks in the transactions of the Government.

A large and highly respectable portion of the banking institutions are, it affords me unfeigned pleasure to state, exempted from all blame on account of this second delinquency. They have, to their great credit, not only continued to meet their engagements, but have even repudiated the grounds of suspension now resorted to. It is only by such a course that the confidence and good-will of the community can be preserved, and, in the sequel, the best interests of the institutions themselves promoted.

New dangers to the banks are also daily disclosed from the extension of that system of extravagant credit of which they are the pillars. Formerly our foreign commerce was principally founded on an exchange of commodities, including the precious metals, and leaving in its transactions but little foreign debt. Such is not now the case. Aided by the facilities afforded by the banks, mere credit has become too commonly the basis of trade. Many of the banks themselves, not content with largely stimulating this system among others, have usurped the business, while they impair the stability, of the mercantile community; they have become borrowers instead of lenders; they

establish their agencies abroad ; they deal largely in stocks and merchandise ; they encourage the issue of State securities until the foreign market is glutted with them ; and, unsatisfied with the legitimate use of their own capital and the exercise of their lawful privileges, they raise, by large loans, additional means for every variety of speculation. The disasters attendant on this deviation from the former course of business in this country are now shared alike by banks and individuals, to an extent of which there is perhaps no previous example in the annals of our country. So long as a willingness of the foreign lender, and a sufficient export of our productions to meet any necessary partial payments, leave the flow of credit undisturbed, all appears to be prosperous ; but as soon as it is checked by any hesitation abroad, or by an inability to make payment there in productions, the evils of the system are disclosed. The paper currency, which might serve for domestic purposes, is useless, to pay the debt due in Europe. Gold and silver are therefore drawn, in exchange for their notes, from the banks. To keep up their supply of coin, these institutions are obliged to call upon their own debtors, who pay them principally in their own notes, which are as unavailable to them as they are to the merchants to meet the foreign demand. The calls of the banks, therefore, in such emergencies, of necessity exceed that demand, and produce a corresponding curtailment of their accommodations and of the currency, at the very moment when the state of trade renders it most inconvenient to be borne. The intensity of this pressure on the community is in proportion to the previous liberality of credit and consequent expansion of the currency. Forced sales of property are made at the time when the means of purchasing are most reduced, and the worst calamities to individuals are only at last arrested by an open violation of their obligations by the banks, a refusal to pay specie for their notes, and an imposition upon the community of a fluctuating and depreciated currency.

These consequences are inherent in the present system. They are not influenced by the banks being large or small, created by national or State governments. They are the results of the irresistible laws of trade or credit. In the recent events which have so strikingly illustrated the certain effects of these

laws, we have seen the bank on the largest capital in the Union, established under a national charter, and lately strengthened, as we were authoritatively informed, by exchanging that for a State charter, with new and useful privileges—in a condition, too, as it was said, of entire soundness and great prosperity—not merely unable to resist these effects, but the first to yield to them.

Nor is it to be overlooked that there exists a chain of necessary dependence among these institutions which obliges them, to a great extent, to follow the course of others, notwithstanding its injustice to their own immediate creditors, or injury to the particular community in which they are placed. This dependence of a bank, which is in proportion to the extent of its debts for circulation and deposits, is not merely on others in its own vicinity, but on all those which connect it with the center of trade. Distant banks may fail without seriously affecting those in our principal commercial cities; but the failure of the latter is felt at the extremities of the Union. The suspension at New York in 1837 was everywhere, with very few exceptions, followed as soon as it was known; that recently at Philadelphia immediately affected the banks of the South and West in a similar manner. This dependence of our whole banking system on the institutions in a few large cities is not found in the laws of their organization, but in those of trade and exchange. The banks at that center to which currency flows, and where it is required in payments for merchandise, hold the power of controlling those in regions whence it comes, while the latter possess no means of restraining them; so that the value of individual property and the prosperity of trade, through the whole interior of the country, are made to depend on the good or bad management of the banking institutions in the great seats of trade on the sea-board.

But this chain of dependence does not stop here. It does not terminate at Philadelphia or New York. It reaches across the ocean and ends in London, the center of the credit system. The same laws of trade which give to the banks in our principal cities power over the whole banking system of the United States, subject the former, in their turn, to the money power in Great Britain. It is not denied that the suspension of the

New York banks in 1837, which was followed in quick succession throughout the Union, was produced by an application of that power; and it is now alleged, in extenuation of the present condition of so large a portion of our banks, that their embarrassments have arisen from the same cause.

From this influence they can not now entirely escape, for it has its origin in the credit currency of the two countries; it is strengthened by the current of trade and exchange, which centers in London, and is rendered almost irresistible by the large debts contracted there by our merchants, our banks, and our States. It is thus that an introduction of a new bank into the most distant of our villages, places the business of that village within the influence of the money power in England. It is thus that every new debt which we contract in that country seriously affects our own currency, and extends over the pursuits of our country its powerful influence. We can not escape from this by making new banks, great or small, State or national. The same chains which bind those now existing to the center of this system of paper credit, must equally fetter every similar institution we create. It is only by the extent to which this system has been pushed of late that we have been made fully aware of its irresistible tendency to subject our own banks and currency to a vast controlling power in a foreign land; and it adds a new argument to those which illustrate their precarious situation. Endangered in the first place by their own mismanagement, and again by the conduct of every institution which connects them with the center of trade in our own country, they are yet subjected, beyond all this, to the effect of whatever measures policy, necessity, or caprice may induce those who control the credits of England to resort to.

I mean not to comment upon these measures, present or past, and much less to discourage the prosecution of fair commercial dealing between the two countries, based on reciprocal benefits; but it having now been made manifest that the power of inflicting these and similar injuries is, by the resistless law of a credit currency and credit trade, equally capable of extending their consequences through all the ramifications of our banking system, and by that means indirectly obtaining,



particularly when our banks are used as depositories of the public moneys, a dangerous political influence in the United States, I have deemed it my duty to bring the subject to your notice, and ask for it your serious consideration.

Is an argument required beyond the exposition of these facts to show the impropriety of using our banking institutions as depositories of the public money? Can we venture not only to encounter the risk of their individual and mutual mismanagement, but, at the same time, to place our foreign and domestic policy entirely under the control of a foreign moneyed interest? To do so is to impair the independence of our Government, as the present credit system has already impaired the independence of our banks. It is to submit all its important operations, whether of peace or war, to be controlled or thwarted at first by our own banks and then by a power abroad greater than themselves. I can not bring myself to depict the humiliation to which this Government and people might be sooner or later reduced, if the means for defending their rights are to be made dependent upon those who may have the most powerful of motives to impair them.

Nor is it only in reference to the effect of this state of things on the independence of our Government or of our banks, that the subject presents itself for consideration: it is to be viewed also in its relation to the general trade of our country. The time is not long past when a deficiency of foreign crops was thought to afford a profitable market for the surplus of our industry; but now we await with a feverish anxiety the news of the English harvest, not so much from motives of commendable sympathy, but fearful lest its anticipated failure should narrow the field of credit there. Does not this speak volumes to the patriot? Can a system be beneficent, wise, or just, which creates greater anxiety for interests dependent on foreign credit than for the general prosperity of our own country and the profitable exportation of the surplus produce of our labor?

The circumstances to which I have thus adverted appear to me to afford weighty reasons, developed by late events, to be added to those which I have on former occasions offered, when submitting to your better knowledge and discernment the pro-



priety of separating the custody of the public money from banking institutions. Nor has anything occurred to lessen, in my opinion, the force of what has been heretofore urged. The only ground on which that custody can be desired by the banks is the profitable use which they may make of the money. Such use would be regarded in individuals as a breach of trust or a crime of great magnitude; and yet it may be reasonably doubted whether, first and last, it is not attended with more mischievous consequences when permitted to the former than to the latter. The practice of permitting the public money to be used by its keepers, as here, is believed to be peculiar to this country, and to exist scarcely anywhere else. To procure it here, improper influences are appealed to; unwise connections are established between the Government and vast numbers of powerful State institutions; other motives than the public good are brought to bear both on the executive and legislative departments, and selfish combinations, leading to special legislation, are formed. It is made the interest of banking institutions and their stockholders throughout the Union to use their exertions for the increase of taxation and the accumulation of a surplus revenue; and, while an excuse is afforded, the means are furnished for those excessive issues which lead to extravagant trade and speculation, and are forerunners of a vast debt abroad and the suspension of the banks at home.

Impressed, therefore, as I am, with the propriety of the funds of the Government being withdrawn from the private use of either banks or individuals, and the public money kept by duly appointed public agents; and believing, as I do, that such also is the judgment which discussion, reflection, and experience have produced on the public mind, I leave the subject with you. It is, at all events, essential to the interests of the community and the business of the Government that a decision should be made.

Most of the arguments that dissuade us from employing banks in the custody and disbursement of the public money, apply with equal force to the receipts of their notes for public dues. The difference is only in form. In one instance the Government is a creditor for its deposits, and in the other for the notes it holds. They afford the same opportunity for using the

public moneys, and equally lead to all the evils attendant upon it, since a bank can as safely extend its discounts on a deposit of its notes in the hands of a public officer as on one made in its own vaults. On the other hand, it would give to the Government no greater security; for, in case of failure, the claim of the note-holder would be no better than that of a depositor.

I am aware that the danger of inconvenience to the public, and unreasonable pressure upon sound banks, have been urged as objections to requiring the payment of the revenue in gold and silver. These objections have been greatly exaggerated. From the best estimates we may safely fix the amount of specie in the country at eighty-five millions of dollars, and the portion of that which would be employed at any one time in the receipts and disbursements of the Government, even if the proposed change were made at once, would not, it is now, after fuller investigation, believed, exceed four or five millions. If the change were gradual, several years would elapse before that sum would be required, with annual opportunities in the meantime to alter the law, should experience prove it to be oppressive or inconvenient. The portions of the community on whose business the change would immediately operate are comparatively small, nor is it believed that its effect would be in the least unjust or injurious to them.

In the payment of duties, which constitute by far the greater portion of the revenue, a very large proportion is derived from foreign commission houses and agents of foreign manufacturers, who sell the goods consigned to them, generally, at auction, and, after paying the duties out of the avails, remit the rest abroad in specie or its equivalent. That the amount of duties should, in such cases, be also retained in specie, can hardly be a matter of complaint. Our own importing merchants, by whom the residue of the duties is paid, are not only peculiarly interested in maintaining a sound currency, which the measure in question will especially promote, but are, from the nature of their dealings, best able to know when specie will be needed, and to procure it with the least difficulty or sacrifice. Residing, too, almost universally in places where the revenue is received, and where the drafts used by the Government for its disbursements must concentrate, they have every

opportunity to obtain and use them in place of specie, should it be for their interest or convenience. Of the number of these drafts and the facilities they may afford, as well as of the rapidity with which the public funds are drawn and disbursed, an idea may be formed from the fact that, of nearly twenty millions of dollars paid to collectors and receivers during the present year, the average amount in their hands at any one time has not exceeded a million and a half; and of the fifteen millions received by the collector of New York alone during the present year, the average amount held by him, subject to draft during each week, has been less than half a million.

The ease and safety of the operations of the Treasury in keeping the public money are promoted by the application of its own drafts for the public dues. The objection arising from having them too long outstanding might be obviated, and they yet be made to afford to merchants and banks holding them an equivalent for specie, and in that way greatly lessen the amount actually required. Still less inconvenience will attend the requirement of specie in purchases of public lands. Such purchases, except when made on speculation, are in general but single transactions, rarely repeated by the same person; and it is a fact that, for the last year and a half, during which the notes of sound banks have been received, more than a moiety of these payments has been voluntarily made in specie, being a larger proportion than would have been required in three years under the graduation proposed.

It is, moreover, a principle, than which none is better settled by experience that the supply of the precious metals will always be found adequate to the uses for which they are required. They abound in countries where no other currency is allowed. In our own States, where small notes are excluded, gold and silver supply their place. When driven to their hiding places by bank suspensions, a little firmness in the community soon restores them in a sufficient quantity for ordinary purposes. Postage and other public duties have been collected in coin without serious inconvenience, even in States where a depreciated paper currency has existed for years; and this, with the aid of treasury-notes for a part of the time, was

done without interruption during the suspension of 1837. At the present moment the receipts and disbursements of the Government are made in legal currency in the largest portion of the Union. No one suggests a departure from this rule; and if it can now be successfully carried out, it will be surely attended with even less difficulty when bank-notes are again redeemed in specie.

Indeed, I can not think that a serious objection would anywhere be raised to the receipt and payment of gold and silver in all public transactions, were it not for an apprehension that a surplus in the Treasury might withdraw a large portion of it from circulation, and lock it up unprofitably in the public vaults. It would not, in my opinion, be difficult to prevent such an inconvenience from occurring; but the authentic statements which I have already submitted to you in regard to the actual amount in the Public Treasury at any one time during the period embraced in them, and the little probability of a different state of the Treasury for at least some years to come, seem to render it unnecessary to dwell upon it. Congress, moreover, as I have before observed, will, in every year, have an opportunity to guard against it, should the occurrence of any circumstances lead us to apprehend injury from this source. Viewing the subject in all its aspects, I can not believe that any period will be more auspicious than the present for the adoption of all measures necessary to maintain the sanctity of our own engagements, and to aid in securing to the community that abundant supply of the precious metals which adds so much to their prosperity, and gives such increased stability to all their dealings.

In a country so commercial as ours, banks in some form will probably always exist; but this serves only to render it the more incumbent on us, notwithstanding the discouragements of the past, to strive in our respective stations to mitigate the evils they produce; to take from them as rapidly as the obligations of public faith and a careful consideration of the immediate interests of the community will permit, the unjust character of monopolies; to check, so far as may be practicable by prudent legislation, those temptations of interest and those opportunities for their dangerous indulgence which

beset them on every side, and to confine them strictly to the performance of their paramount duty, that of aiding the operations of commerce, rather than consulting their own exclusive advantage. These and other salutary reforms may, it is believed, be accomplished without the violation of any of the great principles of the social compact, the observance of which is indispensable to its existence, or interfering in any way with the useful and profitable employment of real capital.

Institutions so framed have existed and still exist elsewhere, giving to commercial intercourse all necessary facilities, without inflating or depreciating the currency, or stimulating speculation. Thus accomplishing their legitimate ends, they have gained the surest guarantee for their protection and encouragement in the good-will of the community. Among a people so just as ours, the same results could not fail to attend a similar course. The direct supervision of the banks belongs, from the nature of our Government, to the States who authorize them. It is to their Legislatures that the people must mainly look for action on that subject. But as the conduct of the Federal Government in the management of its revenue has also a powerful though less immediate influence upon them, it becomes our duty to see that a proper direction is given to it. While the keeping of the public revenue in a separate and independent treasury, and of collecting it in gold and silver, will have a salutary influence on the system of paper credit, with which all banks are connected, and thus aid those that are sound and well managed, it will at the same time sensibly check such as are otherwise, by at once withholding the means of extravagance afforded by the public funds, and restraining them from excessive issues of notes which they would be constantly called upon to redeem.

I am aware it has been urged that this control may be best attained and exerted by means of a national bank. The Constitutional objections, which I am well known to entertain, would prevent me in any event from proposing or assenting to that remedy; but in addition to this, I can not, after past experience, bring myself to think that it can any longer be extensively regarded as effective for such a purpose. The history of the late National Bank through all its mutations shows that



it was not so. On the contrary, it may, after a careful consideration of the subject, be, I think, safely stated, that at every period of banking excess it took the lead; that in 1817 and 1818, in 1823, in 1831, and in 1834, its vast expansions, followed by distressing contractions, led to those of the State institutions. It swelled and maddened the tides of the banking system, but seldom allayed or safely directed them. At a few periods only was a salutary control exercised, but an eager desire, on the contrary, exhibited for profit in the first place; and if, afterward, its measures were severe toward other institutions, it was because its own safety compelled it to adopt them. It did not differ from them in principle or in form; its measures emanated from the same spirit of gain; it felt the same temptation to over-issue; it suffered from, and was totally unable to avert, those inevitable laws of trade by which it was itself affected equally with them; and at least on one occasion, at an early day, it was saved only by extraordinary exertions from the same fate that attended the weakest institution it professed to supervise. In 1837 it failed, equally with others, in redeeming its notes, though the two years allowed by its charter for that purpose had not expired, a large amount of which remains to the present time outstanding. It is true, that having so vast a capital, and strengthened by the use of all the revenues of the Government, it possessed more power; but while it was itself, by this circumstance, freed from the control which all banks require, its paramount object and inducement were left the same—to make the most for its stockholders; not to regulate the currency of the country. Nor has it, as far as we are advised, been found to be greatly otherwise elsewhere. The national character given to the Bank of England, has not prevented excessive fluctuations in their currency, and it proved unable to keep off a suspension of specie payments, which lasted for nearly a quarter of a century. And why should we expect to be otherwise? A national institution, though deriving its charter from a different source than the State banks, is yet constituted upon the same principles; is conducted by men equally exposed to temptation; and is liable to the same disasters; with the additional disadvantage that its magnitude occasions an extent of confusion and distress which the mis-



management of smaller institutions could not produce. It can scarcely be doubted that the recent suspension of the United States Bank of Pennsylvania—of which the effects are felt not in that State alone, but over half the Union—had its origin in a course of business commenced while it was a national institution; and there is no good reason for supposing that the same consequences would not have followed, had it still derived its powers from the General Government. It is in vain, when the influences and impulses are the same, to look for a difference in conduct or results. By such creations, we do therefore but increase the mass of paper credit and paper currency, without checking their attendant evils and fluctuations. The extent of power and the efficacy of organization which we give, so far from being beneficial, are in practice positively injurious. They strengthen the chain of dependence throughout the Union, subject all parts more certainly to common disaster, and bind every bank more effectually, in the first instance, to those of our commercial cities, and, in the end, to a foreign power. In a word, I can not but believe that, with the full understanding of the operations of our banking system which experience has produced, public sentiment is not less opposed to the creation of a national bank for purposes connected with currency and commerce, than for those connected with the fiscal operations of the Government.

Yet the commerce and currency of the country are suffering evils from operations of the State banks which can not and ought not to be overlooked. By their means, we have been flooded with a depreciated paper, which it was evidently the design of the framers of the Constitution to prevent, when they required Congress to “coin money and regulate the value of foreign coins,” and when they forbade the States to “coin money, emit bills of credit, make anything but gold and silver a tender in payment of debts,” or “pass any law impairing the obligation of contracts.” If they did not guard more explicitly against the present state of things, it was because they could not have anticipated that the few banks then existing were to swell to an extent which would expel to so great a degree the gold and silver for which they had provided, from the channels of circulation, and fill them with a currency that defeats

the object they had in view. The remedy for this must chiefly rest with the State from whose legislation it has sprung. No good that might accrue in a particular case from the exercise of powers not obviously conferred on the General Government would authorize its interference, or justify a course that might, in the slightest degree, increase, at the expense of the State, the power of the Federal authorities; nor do I doubt that the States will apply the remedy. Within the last few years, events have appealed to them too strongly to be disregarded. They have seen that the Constitution, though theoretically adhered to, is subverted in practice; that while, on the statute-books, there is no legal tender but gold and silver, no law impairing the obligations of contracts, yet that, in point of fact, the privileges conferred on banking corporations have made their notes the currency of the country; that the obligations imposed by these notes are violated under the impulses of interest or convenience; and that the number and power of the persons connected with these corporations, or placed under their influence, give them a fearful weight when their interest is in opposition to the spirit of the Constitution and laws. To the people it is immaterial whether these results are produced by open violations of the latter, or by the workings of a system of which the result is the same. An inflexible execution even of the existing statutes of most of the States would redress many evils now endured; would effectually show the banks the dangers of mismanagement which impunity encourages them to repeat; and would teach all corporations the useful lesson that they are the subjects of the law and the servants of the people. What is still wanting to effect these objects must be sought in additional legislation; or, if that be inadequate, in such further Constitutional grants or restrictions as may bring us back into the path from which we have so widely wandered.

In the meantime, it is the duty of the General Government to co-operate with the States, by a wise exercise of its Constitutional powers, and the enforcement of its existing laws. The extent to which it may do so by further enactments I have already adverted to, and the wisdom of Congress may yet enlarge them. But, above all, it is incumbent upon us to hold

erect the principles of morality and law, constantly executing our own contracts in accordance with the provisions of the Constitution, and thus serving as a rallying point by which our whole country may be brought back to that safe and honored standard.

Our people will not long be insensible to the extent of the burdens entailed upon them by the false system that has been operating on their sanguine, energetic, and industrious character; nor to the means necessary to extricate themselves from these embarrassments. The weight which presses upon a large portion of the people and the States is an enormous debt, foreign and domestic. The foreign debt of our States, corporations, and men of business, can scarcely be less than two hundred millions of dollars, requiring more than ten millions a year to pay the interest. This sum has to be paid out of the exports of the country, and must of necessity cut off imports to that extent, or plunge the country more deeply in debt from year to year. It is easy to see that the increase of this foreign debt must augment the annual demand on the exports to pay the interest, and to the same extent diminish the imports; and in proportion to the enlargement of the foreign debt, and the consequent increase of interest, must be the decrease of the import trade. In lieu of the comforts which it now brings us, we might have our gigantic banking institutions, and splendid, but in many instances profitless, railroads and canals, absorbing, to a great extent, in interest upon the capital borrowed to construct them, the surplus fruits of national industry for years to come, and securing to posterity no adequate return for the comforts which the labors of their hands might otherwise have secured. It is not by the increase of this debt that relief is to be sought, but in its diminution. Upon this point there is, I am happy to say, hope before us; not so much in the return of confidence abroad, which will enable the States to borrow more money, as in a change of public feeling at home, which prompts our people to pause in their career, and think of the means by which debts are to be paid before they are contracted. If we would escape embarrassment, public and private, we must cease to run in debt, except for objects of necessity, or such as will

yield a certain return. Let the faith of the States, corporations, and individuals, already pledged, be kept with the most punctilious regard. It is due to our national character, as well as to justice, that this should, on the part of each, be a fixed principle of conduct. But it behooves us all to be more chary in pledging it hereafter. By ceasing to run in debt, and applying the surplus of our crops and incomes to the discharge of existing obligations, buying less and selling more, and managing all affairs, public and private, with strict economy and frugality, we shall see our country soon recover from a temporary oppression, arising not from natural and permanent causes, but from those I have enumerated, and advance with renewed vigor in her career of prosperity.

Fortunately for us, at this moment, when the balance of trade is greatly against us, and the difficulty of meeting it enhanced by the disturbed state of our money affairs, the bounties of Providence have come to relieve us from the consequences of past errors. A faithful application of the immense results of the labors of the last session will afford partial relief for the present; and perseverance in the same course will, in due season, accomplish the rest. We have had full experience, in times past, of the extraordinary results which can, in this respect, be brought about, in a short period, by the united and well-directed efforts of a community like ours. Our surplus profits, the energy and industry of our population, and the wonderful advantages which Providence has bestowed upon our country, in its climate, its various productions, indispensable to other nations, will, in due time, afford abundant means to perfect the most useful of those objects for which the States have been plunging themselves of late in embarrassment and debt, without imposing on ourselves or our children such fearful burdens.

But let it be indelibly engraved on our minds that relief is not to be found in expedients. Indebtedness can not be lessened by borrowing more money, or by changing the form of the debt. The balance of trade is not to be turned in our favor by creating new demands upon us abroad. Our currency can not be improved by the creation of new banks, or more issues from those which now exist. Although these

devices sometimes appear to give temporary relief, they almost invariably aggravate the evil in the end. It is only by retrenchment and reform—by curtailing public and private expenditures, by paying our debts, and by reforming our banking system—that we are to expect effectual relief, security for the future, and an enduring prosperity. In shaping the institutions and policy of the General Government so as to promote, as far as it can with its limited powers, these important ends, you may rely on my most cordial co-operation.

That there should have been, in the progress of recent events, doubts in many quarters, and in some a heated opposition to every change, can not surprise us. Doubts are properly attendant on all reform; and it is peculiarly in the nature of such abuses as we are now encountering, to seek to perpetuate their power by means of the influence which they have been permitted to acquire. It is their result, if not their object, to gain for the few an ascendancy over the many, by securing to them the monopoly of the currency, the medium through which most of the wants of mankind are supplied—to produce throughout society a chain of dependence which leads all classes to look to privileged associations for the means of speculation and extravagance; to nourish, in preference to the manly virtues that give dignity to human nature, a craving desire for luxurious enjoyment and sudden wealth, which renders those who seek them dependent on those who supply them; to substitute for republican simplicity and economical habits a sickly appetite for effeminate indulgence, and an imitation of that reckless extravagance which impoverished and enslaved the industrious people of foreign lands; and at last to fix upon us, instead of those political rights the acquisition of which was alike the object and supposed reward of our Revolutionary struggle, a system of exclusive privileges conferred by partial legislation. To remove the influences which had thus gradually grown up among us; to deprive them of their deceptive advantages; to test them by the light of wisdom and truth; to oppose the force which they concentrate in their support—all this was necessarily the work of time, even among a people so enlightened and pure as that of the United States. In most other countries, perhaps, it could only have been accomplished



through that series of revolutionary movements which are too often found necessary to effect any great and radical reform; but it is the crowning merit of our institutions that they create and nourish, in the vast majority of our people, a disposition and a power peaceably to remedy abuses which have elsewhere caused the effusion of rivers of blood, and the sacrifice of thousands of the human race. The result thus far is most honorable to the self-denial, the intelligence, and the patriotism of our citizens; it justifies the confident hope that they will carry through the reform which has been so well begun, and that they will go still further than they have yet gone in illustrating the important truth that a people as free and enlightened as ours will, whenever it becomes necessary, show themselves to be indeed capable of self-government by voluntarily adopting appropriate remedies for every abuse, and submitting to temporary sacrifices, however great, to insure their temporary welfare.

My own exertions for the furtherance of these desirable objects have been bestowed, throughout my official career, with a zeal that is nourished by ardent wishes for the welfare of my country, and by an unlimited reliance on the wisdom that marks its ultimate decision on all great and controverted decisions. Impressed with the solemn obligations imposed upon me by the Constitution, desirous also of laying before my fellow-citizens, with whose confidence and support I have been so highly honored, such measures as appear to me conducive to their prosperity, and anxious to submit to their fullest consideration the grounds upon which my opinions are formed, I have on this, as on preceding occasions, freely offered my views on those points of domestic policy that seem, at the present time, most prominently to require the action of the Government. I know that they will receive from Congress that full and able consideration which the importance of the subjects merits; and I can repeat the assurance heretofore made, that I shall cheerfully and readily co-operate with you in every measure that will tend to promote the welfare of the Union.



## CHAPTER XIX.

SEMINOLE WAR—CONGRESS AT WORK—CITY AND COUNTRY, A COMPARISON, A STUDY—PRESIDENTIAL ELECTION—THE HARD CIDER CAMPAIGN—THE WHIGS AND OLD TIPPECANOE.

AT the last session of Congress an appropriation had been made and a commission provided for, with a view to the settlement of the difficulty with the Seminole Indians. The President now shows in this message how fruitless the effort had been in that direction, and, as on a former occasion, clearly puts forth the opinion that the only way left was to whip them into submission. The tone of this message is much after the manner of that of General Jackson's. Mr. Van Buren here presents his most powerful, if not unanswerable, arguments against banks, and especially in their connection with the financial affairs of the Government. No such attack from the Chief Executive had ever been made on banks of every kind, and the whole banking and credit system of the country.

This presentation of the case was comparatively new to the people. Two things seem true as to the President's position on this great question: First, that he could not have believed that his course would make him friends at the time, and hence,

secondly, that not taking it with reference to his personal and political preferment or the harmony and power of his party, he had deliberately done so because he believed the best interests of the country demanded it.

Mr. Van Buren was able to see that, in the way he proposed, the Government would finally be relieved of financial embarrassment, and the condition of the country greatly improved, and in the face of the charges of being a political fox and magician, and such things, was brave and patriotic enough to stand by his position, long against the will of a large faction of his party and his own prospects of political success.

In this message the President makes the following wise statement concerning the tilling of the earth:—

“No means of individual comfort is more certain, and no source of national prosperity is so sure. Nothing can compensate a people for a dependence upon others for the bread they eat; and that cheerful abundance on which the happiness of every one so much depends, is to be looked for nowhere with such sure reliance as in the industry of the agriculturist and the bounties of the earth.”

This has been the sentiment of most of the Presidents and the great mass of the wise men of all classes from the beginning of history to the present time, and yet there is, perhaps, no truth which it is more difficult to persuade a very large half of the human family to accept in a practical way. But the question of life in the city and life in the

country has more in it than independence in getting bread, and dependence upon the bounties of the earth. And in a comparison of the two places and general modes of life, the view must, to some extent, be made from the conditions of affairs as they should be, more than as they are really found to be.

All pursuits necessarily present two general aspects for study and commendation, namely: their supply of the wants of merely animal and social life; and their supply of the means of advancing the moral, intellectual, and other interests of man as a creature having the certainty of an endless life hereafter. The advantage from both of these points of view is, perhaps, on the side of the country, in a comparison with an exclusive, continuous city life. It must be acknowledged, however, that as matters now stand, the picture is not a flattering one on either side.

The great masses of men everywhere are much alike in what they make and what they spend; in what they live, and, therefore, have in their lives and characters, as well as in what they fail to have and be. A plant, a bird, a pebble, an insect, a brook, a beautiful landscape, is no more to the average countryman than is the brick wall, the stone pavement, the beer-keg, the annual dog-show, the dime museum, the toy-window, the concert, the drama, the tub-mender, or the rags-old-iron man, to the common dweller in the city.

Life in its better or best sense is not much more or less a mystery or secret to one of these classes

than to the other. Summing them all up in dollars and cents, however, the condition of the countryman is the safer and sounder. And beyond this there is not much to be said, except on the side of health and longevity. While in rheumatism alone the countryman may appear at a disadvantage, in all infectious and contagious diseases and phthisis he is greatly the gainer. Large cities are consumption centers. According to the population, hundred for hundred, twenty-five per cent more people die of consumption even in the great communities than in the country around them. In a wisely improved country, where the trees still hold their own in proper proportion, the intelligent farmer will outlive all other men. He will reach a greater age.

The majority of the families that live out of the towns own at least an acre or so of ground, while the masses of those who live within them, when they reach the end, have not even an imaginary inheritance in cloud-land. The poorest in the country are no more poor and miserable than the poorest in the cities, and mostly there are some mitigating circumstances in favor of the former. There Nature helps those who can not help themselves. Even on air and water a man can live longer and better in the country than in the city. Nature, let alone, makes no distinction between man and man in her gifts of the immunities and bounties of the earth. To her children in the country she gives as she does to the bee, the sparrow, and the squirrel.

But this is looking at life only in its lowest,

external, or animal aspects. Things that feed and build the mind and character are worth more and are higher than those which merely serve the body. Simplicity and virtue more abound among the flowers and the free birds. In mere polish, so-called, the denizen of the city, perhaps, stands above his country cousin. But take up a thousand men and women promiscuously in the heart of any great city, and they will fall below an equal number so selected in the country in wisdom and good habits. To-day correct speech, true grammar, is a necessary sign of education and refinement. In the great dense communities, where ignorance takes refuge, the deficiency in this respect is greater than it is in the country. The odor and metaphor of the flowers lend some beauty to the simplest lives and rudest speech. After being well-born, the most important thing connected with human life on this earth is education. Even to the rudest and most careless minds most things surrounding them are in some degree educators. By the five senses the work is mainly carried on. How many more good, true, and beautiful objects appeal to each of these senses in the country! In all these things the count is greatly against the city. The song of the robin is more inspiring and beneficial than the loud, rude voice of the next-door neighbor; the sight of the waving grain and the majestic oak is more elevating and refining than that of the vulgar street-parade and numberless tokens of strife and depravity; the odor of the newly mown meadow and

the orchard in bloom is more uplifting and purifying than that of the market-house and reeking alley; the touch of the sassafras leaf and the gentle odor-bearing breeze gliding by from the green fields and deep-shadowed forest has no counterpart in the city; the charm and luxury of taste are broken with the most delicious fruits when they are unassociated with the wondrous beauty in which they are found in their native hiding-places.

All objects appealing to the senses are Nature's educators of man. These school-masters of the country are innumerable, and much deeper and wiser than those of the populous city. In the country God has myriads and myriads of teachers for his children; in the great city he has few. In the country God is first and uppermost; in the city man seems to rule.

It has been held by an occasional lofty-spirited admirer of Nature, in her unaided beauty and uses, that her truest and most earnest lover may be found among those who earn their bread in the crowded city, but spend their nights, mornings, holidays, and other spare hours in homes in the country. The busy moments daily and necessarily spent in the noisy, narrow, and unclean city, it is thus held, sharpen and increase the delights of the country, and exalt the great benefits of life in it. Constant association and familiarity have thus no power to weaken, blunt, or destroy the interest in the beautiful objects of Nature, or render them too common for notice, friendship, or study. But the wise and



cultured hardly need this kind of spur to intellectual and heart advancement.

Still, however all this may be, that mode and place of life are the most beneficial to their lives which furnish the greatest and most available opportunities for usefulness to themselves and to others. On this higher plain the question of life must be finally met. But the theme widens out in the handling, involving one field after another. The doctrine of uses is a vast one, and comprehends so many small and peculiar things not commonly taken into the count. At the head of all these may be placed worship and adoration of the Creator, acts in themselves of almost infinite forms, among which words are, perhaps, the most doubtful and inefficient. Words are but the thunderings of the thoughts. Lightning, not thunder, kills.

The highest act of use is the best form of adoration and worship. The highest form of usefulness for the moments as they fly is to do best, from the best motives and principles, the work, service, or office in hand, however little, insignificant, or limited in its reach or publicity. A little act in secret may be more powerful and beneficial than a great one on the mountain. A good deed is better than a bad prayer.

The speeches of Mr. Webster at different times during the pendency of this question, as to the establishment of the Sub-Treasury, have been considered wonderful stores of financial and legislative wisdom. Mr. Calhoun and Mr. Benton, on the side

of the Administration, were distinguished in this great contest as were others in both Houses. The bill finally passed in the Senate by a vote of 24 to 18, and on the last day of June, 1840, in the House, by a vote of 124 to 107, and on the 4th of July became a law by the signature of the President. A foolish controversy was then for some time carried on in the House against the simple, unobjectionable title to the bill: "An act to provide for the collection, safe-keeping, and disbursing of the public money."

James Cooper, a frisky member, from Pennsylvania, wanted this title changed to: "An act to reduce the value of property, the products of the farm, and the wages of labor; to destroy the indebted portions of the community, and to place the Treasury of the Nation in the hands of the President." And Caleb Cushing had the audacity and folly to want that amended to read: "An act to enable the public money to be drawn from the public Treasury without appropriation made by law."

But all this amounted to nothing, as both Cooper's title and Cushing's amendment were voted down by a respectable majority. The original title was retained. This act furnished a fine opportunity for the opposition to raise the cry of Executive aggressions, of the dangers in the increase of the President's powers. Mr. Clay participated in this cry, which took its origin with the very formation of the Government, shifting as the case required from the victorious to the defeated side. No party,

in power, has ever evinced the least uneasiness or dread as to the increase of its privileges, patronage, or authority. The sincerity of this old standard outcry may well be doubted. In fact, it has always been a political trick, an unmitigated piece of demagogism, at any time in the history of this Government. And yet it may not be denied that it has its uses and advantages to the general welfare, serving as a spur to well-doing.

The Florida War was now a fruitful theme with the opposition, and, if anything, more readily set in operation the tongues of its leaders than did the "Sub-Treasury." The bill proposing the armed occupation of Florida brought on a sharp and protracted debate, which, however, resulted in the usual appropriations for prosecuting the war.

The question of the National Government assuming a large foreign debt contracted by many of the States produced a lively discussion. This was not a measure of Mr. Van Buren's, nor were the friends of the Administration favorable to any such a wild scheme. A bankruptcy bill was passed in the Senate this session, but was tabled in the House. Among the few acts of this session, and most of them of no great importance, was one for refunding to Matthew Lyon, of Kentucky, his fine for violating the Sedition Law, so great always is the strain on gentle charity to soften and palliate crime.

Congress adjourned July 21, 1840, and during this long sitting had occurred for the first time, perhaps, in its history, the doubtful but convenient

practice of pairing, a disreputable usage since become general.

In this year occurred the deaths of H. L. White, Robert T. Hayne, of South Carolina, and Judge Philip P. Barbour, of the Supreme Court. In 1837 Judge Duval had resigned his place in that court and Mr. Barbour had been appointed his successor by Mr. Van Buren, who now filled the vacant seat by the appointment of Peter V. Daniel.

The all-absorbing topic before the people in the summer and fall of 1840, was the Presidential election. On the 4th of December, 1839, the Whigs held their first national nominating convention at Harrisburg, Pennsylvania. This was to be a great event. The country was ripe for something, ripe for a change; and it was hoped and expected that the convention would do something grand and satisfactory, something which would indicate beforehand the certainty of success, and the salvation of the Nation. All the elements of opposition were necessary to insure success, and it was hoped the convention would be wise enough to pursue a course that would harmonize all of these. Who should be the standard-bearers?

General Winfield Scott, Henry Clay, and William Henry Harrison were the candidates. The former race had strengthened and increased the friends of General Harrison. He had run beyond expectation, and it began to be strongly suspected that the vague popular elements in his case would be of extraordinary value now. The politic foot should be put for-

ward at this time, if ever. Many of the earnest admirers of Mr. Clay feared his ability to draw out the full opposition strength, although many Democrats, so-called, were strong in his support. Still there were in the opposition old Anti-Masons and Jacksonians who could not be expected to support Mr. Clay even under extraordinary circumstances. There were also, at the South and in the West especially, anti-tariff Whigs who were not to be ignored at this critical moment. Mr. Clay was himself not the hindmost in entertaining doubts as to the propriety of his nomination, and as badly as he wanted to be President, even went so far in a speech at Buffalo as to suggest that the cause of harmony, perhaps, required his name to be dropped.

Twenty-one or twenty-two States were represented, and when it came to counting heads it was found that Mr. Clay actually had more votes than either of the other candidates. Each State was to have as many votes as it had Presidential electors. The first ballot gave Clay 103, Harrison 94, and General Scott 57 votes. After some maneuvering the third ballot was reached on the third day, showing 148 votes for Harrison, 90 for Clay, and 16 for Scott. General Harrison was, therefore, declared to be the nominee, and after a few weeks of personal disappointment had passed away, the opposition accepted the entire work of the convention with great cordiality.

John Tyler was then nominated for the Vice-Presidency, receiving all the votes of the convention

except those of Virginia which were withheld by his request. Mr. Tyler was a Virginia Democrat who had recently acted with the Whigs. He was a member of the convention, and had been a warm supporter of Mr. Clay's nomination.

The Abolitionists now appeared in the field for the first time as an organized party. On the 13th of November, 1839, they met in convention at Warsaw, New York, to consider the course they should take and the propriety of making an independent step. They had previously been identified with the other parties according to their tastes. Nor did they at all see fit to drop this Association now. They concluded, after some discussion, to make a distinct issue at this time; and James G. Birney, then of New York, was nominated for the Presidency, and Francis J. Lemoyne, subsequently the cremationist, of Pennsylvania, as Vice-President.

The Democratic National Convention did not meet until May 5, 1840, in Baltimore. Twenty-one States were represented, with about two hundred and fifty delegates. This convention was really a mere matter of form, as it had been well understood from the outset that Mr. Van Buren would be renominated, and the delegates to the convention had been instructed to that effect. Mr. Van Buren's nomination was, therefore, unanimous. But strangely enough the convention declined to nominate a candidate for the second place, leaving this to be done by the States. James K. Polk and Vice-President Johnson were the leading aspirants, but most States



seemed to favor Colonel Johnson, who was finally associated with Mr. Van Buren.

Notwithstanding the wonderful character of the hickory-broom and hickory-pole contests of 1828 and 1832, this, known as the "Log-cabin Campaign," was the most exciting and noisy Presidential race which had yet been made. Although a great tide had set in against Mr. Van Buren in 1837, and for two elections the Whigs had carried everything before them in most States, in 1839 and the following year the friends of the Administration had materially recovered, and now were not without hope of re-electing Mr. Van Buren. For two years the Whigs held New York without difficulty, while at the last election they barely escaped defeat in that State. Pennsylvania had actually gone for the Democracy in the October election.

The Whigs, under the mistaken belief that Mr. Clay could not be elected, had for policy's sake nominated General Harrison. This sacrifice of their preference to apparent necessity became a source of regret, life-long regret, to many good Whigs. It was, indeed, a great error. Had Clay and Tyler, or Clay and Francis Granger, or any other good man, been nominated by the Whigs the result would have been the same.

Although after the fall elections things did not look so bright for the Whigs, their circumstances were fortunate and they made the best of them. Nor were the Democrats inactive. In New York Edwin Croswell, of the "Albany Argus," still stood

by Mr. Van Buren, as he always had done. And Silas Wright and William L. Marcy, really the brightest men the Democrats had in the State, were a host in themselves. With the exception of the banks the greater numbers of those in the party who were at the outset dissatisfied with the conduct of Mr. Van Buren, as time passed returned to the ranks; and at the beginning of the active campaign, and even up to the very day of the election, the outcome really looked hopeful for the Administration party. Some States were certain for Mr. Van Buren, it was thought, while the Whigs were not morally sure of one. That they had made an exceedingly popular ticket could not be denied.

The convention at Baltimore had announced a platform of principles, many points of which the Whigs controverted, but they issued no form of principles themselves. They were better off without it. Their hard-cider, raccoon, log-cabin, and Tippecanoe appeals to the people were more effective. In a former campaign all questions had been answered by "Hurrah for Jackson." Now it was "Tippecanoe and Tyler too." A change was demanded. A change would effect a radical cure of the evils of the country. Change, change, change, rang throughout the greater part of the land! Still the Whigs had no electoral ticket in South Carolina, and were barely known in some other parts.

General Jackson yet considered Mr. Van Buren's fight as his own. He had been greatly pleased with Mr. Van Buren's Administration, and now

desired his re-election. He never lost confidence in Mr. Van Buren, and admired him perhaps beyond all men of his acquaintance. It is represented that on his death-bed he told Benjamin Franklin Butler that Mr. Van Buren was the wisest man he ever knew. The old General wrote a letter in favor of Mr. Van Buren at this time which was used as a campaign document by the Van Burenites all over the country. But it did not, perhaps, benefit the cause materially. In this letter he fell into abuse of General Harrison, signifying that not being a military man of any merit, and having no other qualities to recommend him, his election would, indeed, be a misfortune. General Jackson also came in contact with Henry Clay, the man he never could forgive, during this exciting election. Mr. Clay visited Nashville, and in his address said things which Jackson could not resist the temptation to answer in a Nashville paper. But Mr. Clay treated the old hero with great contempt. During the progress of the canvass, General Jackson made a tour through the western parts of the State to aid by his presence in advancing the interests of Van Buren. Although he made no regular speech on this trip, he did a great deal of talking, much of it not very creditable to him. Among other things it was said of him that in a bar-room of some hotel he gave it as his opinion, founded on good authority, of course, that the "Whigs sent Daniel Webster over to England to negotiate for a great bank of America; that the dukes, lords, and ladies over there were to

be the stockholders, and that the Whig campaign expenses had been defrayed by British gold sent here for that very purpose."

Still all this and everything else would not do. Mr. Van Buren was defeated, receiving only sixty electoral votes, consisting of those of New Hampshire, Virginia, South Carolina, Alabama, Arkansas, Missouri, and Illinois. Mr. Johnson had twelve less votes, losing one in Virginia and eleven in South Carolina. The following account of the race and its results is from the pen of Thomas Hart Benton:—

"From the beginning it had been foreseen that there was to be an embittered contest—the severest ever known in our country. Two powers were in the field against Mr. Van Buren, each strong within itself, and truly formidable when united—the whole Whig party, and the large league of suspended banks, headed by the Bank of the United States—now criminal as well as bankrupt, and making its last struggle for a new national charter in the effort to elect a President friendly to it. In elections, as in war, money is the sinew of the contest, and the broken and suspended banks were in a condition and a temper to furnish that sinew without stint. By mutual support they were able to make their notes pass as money; and, not being subject to redemption, it could be furnished without restraint, and with all the good-will of a self-interest in putting down the Democratic party, whose hard-money policy and Independent Treasury scheme presented it as an enemy to paper money and delinquent banks. The influence of this moneyed power over its debtors, over presses, over traveling agents, was enormous, and exerted to the uttermost, and in amounts of money almost fabulous and in ways not dreamed of. The mode of operating

divided itself into two general classes—one coercive, addressed to the business pursuits and personal interests of the community; the other seductive, and addressed to its passions. The phrases given out in Congress against the financial policy of the Administration became texts to speak upon, and hints to act upon. Carrying out the idea that the re-election of Mr. Van Buren would be the signal for the downfall of all prices, the ruin of all industry, and the destruction of all labor, the newspapers in all the trading districts began to abound with such advertisements as these: ‘The subscriber will pay six dollars a barrel for flour if Harrison is elected, and three dollars if Van Buren is.’ ‘The subscriber will pay five dollars a hundred for pork if Harrison is elected, and two and a half if Van Buren is.’ And so on through the whole catalogue of marketable articles, and through the different kinds of labor; and these advertisements were signed by respectable men, large dealers in the articles mentioned, and well able to fix the market price for them. In this way the result of the election was brought to bear coercively upon the business, the property, and the pecuniary interest of the people. The class of inducements addressed to the passions and imaginations of the people were such as history blushes to record. Log-cabins, ’coon-skins, and hard cider were taken as symbols of the party, and to show its identification with the poorest and humblest of the people; and these cabins were actually raised in the most public parts of the richest cities, ornamented with ’coon-skins after the fashion of frontier huts, and cider drank in them out of gourds, in the public meetings which gathered about them; and the virtues of these cabins, these skins, and this cider were celebrated by traveling and stationary orators. The whole country was put into commotion by traveling parties and public gatherings. Steamboats and all public conveyances were crowded with parties singing doggerel ballads made for the occasion,

accompanied with the music of drums, fifes, and fiddles; and incited by incessant speaking. A system of public gatherings was got up which pervaded every State, county, and town, which took place by day and by night, accompanied by every preparation to excite; and many of which gatherings were truly enormous in their numbers, only to be estimated by the acre; attempts at counting or computing such masses being out of the question."

In 1832 this system was fairly inaugurated. And now the party that can make the greatest noise, spend the most money, and most excite the masses who are treated as if there were no way suited to reach them except through their passions or their appetites, it is supposed ought to be successful.

Over the election of Mr. Adams in 1825 in the House of Representatives, a great cry of fraud was set up which has barely yet died out, although the world has long and earnestly believed that the only fraud about it was the cry of fraud itself. At this election, in 1840, the cry of fraud was again heard. This time it was fraudulent votes and ballot-box stuffing. It was widely believed by Van Buren men that these frauds could be proven, but nothing was done in the case. The beaten party is always in condition to cry fraud. And although this is generally a mere pretense, and is an utterly contemptible piece of party charlatanry, it may often be a safeguard, and may not be without mitigating benefits.

Mr. Van Buren felt confident of his re-election, but the returns reached the Capital by mail, and the



result was not known for several days. When it had at last been learned that New York had gone for the Whigs, Mr. Van Buren saw that he was really defeated. He believed the defection in his own State was to be attributed in part to the course he had taken in sending General Scott up there to prevent his countrymen involving the Nation in the "Patriot War." Still Mr. Van Buren received the news of his defeat with his characteristic equanimity, as unfortunately General Harrison was not able to do his success. The Democrats were greatly chagrined over their utter rout, but with their usual pluck began at once to prepare for the next quadrennial contest. The following are two fair samples of the hundreds of songs with which the Whigs sung their candidate into the Presidency :—

O, MATTY VAN, MY JO, MAT!

TUNE—"John Anderson," etc.

O, Matty Van, my Jo, Mat! I wonder what you mean,  
By such a naughty act as that which lately has been seen?  
What want you with an Army, Mat? Ah why do you do so?  
'T will march you back to Kinderhook, O, Matty Van, my Jo!

O, Van Buren, my Jo, Van, you've clamb'd the hill o' State,  
And monie a cunnin' trick, man, was fathered in your pate;  
But now you're tottering down, Van; how rapidly you go!  
You'll soon be sprawling at the fit, O, Matty Van, my Jo!

O, Matty Van, my Jo, Mat; when first we were acquaint,  
'Tis true you were not slow, Mat, with sinner or with saint;  
But now you have grown ould, Mat, you never seem to know  
How fast you're goin' "bock agen," O, Matty Van, my Jo!

O, Van Buren, my Jo, Van, when Jackson ruled the hour,  
 And *took you up behind him*, Van, and left you with his power;  
 You promised us to follow in his footsteps, as you know,  
 And pit your fit in the hero's tracks, O, Van Buren, my Jo!

O, Matty Van, my Jo, Mat—his faith you did abuse;  
 For it's not in your nature, Mat, to wear a hero's shoes.  
 So step you just aside, Mat—Old Tip is on your toe!  
 Old Tip, a hero ready made, O, Matty Van, my Jo!

#### CLEARING THE KITCHEN AND WHITE HOUSE.

A SONG FOR THE FOURTH OF MARCH, 1841.

TUNE—"Young Lochinvar."

Old Tippecanoe has come out of the West,  
 Through all the wide border his fame was best;  
 For, save his log cabin, he station had none;  
 He came with his friends, with true hearts alone;  
 So dauntless in war, to his country so true,  
 Was ever there soul like Old Tippecanoe?

He staid not for break, he stopped not for stone,  
 He swam the Ohio where ford there was none;  
 But ere he alighted at Washington gate,  
 The spoilers were scampering before 't was too late;  
 For, laggard in heart, to his country untrue,  
 Had kept this fair place from Old Tippecanoe.

So boldly he entered the President's hall,  
 'Mong patriots and brothers and ladies and all,  
 That, to little Van, it politely occurred  
 Unto the new-comers he must say a word:  
 "O, whence are you here?—what came you to do?  
 Must you take this White House for Old Tippecanoe?"

"He long served his country," the lovers replied;  
 "She wooed him to come, when her suit you denied;  
 But now is he here, with friends from afar,  
 To fill up the measure of glory and war;  
 There are men in this country more fitting than you,  
 To rule this fair land with Old Tippecanoe."

They set down the mug when Old Tip took it up,  
And quaffed the hard cider, then proffered the cup;  
Van looked down to blush, and then looked up to sigh,  
With a frown on his lip and a squint in his eye;  
Then, bowing full low, says he: "Good-bye to you,  
I surrender this house to Old Tippecanoe."

So goodly a form and so honest a face,  
That never this hall such a farmer did grace;  
While Kendall did fret and Levi did fuss,  
And Benton stood dangling his yellow boys' purse,  
And the ladies they whispered, "'T were 't is true,  
The country were governed by Tippecanoe."

One touch to Blair's hand and one word in his ear,  
As Van reached the door, and his carriage was near:  
"We are gone, we are gone, by hook or by crook,  
I must wend my way back to my own Kinderhook;  
My light English coach, though often it flew,  
Could n't match the hard gray of Old Tippecanoe."

There was mounting and tramping of Cabinet clan,  
And the Kitchen concern, some rode and some ran;  
There was racing and chasing o'er Capitol lea,  
But the little Magician no more could they see!  
So dauntless in war, to his country so true,  
Who could clear the Kitchen but Tippecanoe?

## CHAPTER XX.

LAST ANNUAL MESSAGE—CONGRESS IN SESSION—END OF  
THE EIGHTH ADMINISTRATION—MR. VAN BUREN  
AT KINDERHOOK—RICHARD M. JOHNSON.

CONGRESS again assembled for the short session ending March 3, 1841, when President Van Buren sent in his

## FOURTH ANNUAL MESSAGE.

*December 5, 1840.*

FELLOW-CITIZENS OF THE SENATE AND HOUSE OF REPRESENTATIVES:—

Our devout gratitude is due to the Supreme Being for having graciously continued to our beloved country, through the vicissitudes of another year, the invaluable blessings of health, plenty, and peace. Seldom has this favored land been so generally exempted from the ravages of disease, or the labor of the husbandman more amply rewarded; and never before have our relations with other countries been placed on a more favorable basis than that which they so happily occupy at this critical conjuncture in the affairs of the world. A rigid and persevering abstinence from all interference with the domestic and political relations of other States, alike due to the genius and distinctive character of our Government and to the principles by which it is directed; a faithful observance, in the management of our foreign relations, of the practice of speaking plainly, dealing justly, and requiring truth and justice in return, as the best conservative of the peace of nations; a strict impartiality in our manifestations of friendship in the commercial privileges we concede, and those we require from others; these, accompanied by a disposition as prompt to maintain, in every emer-

gency, our own rights, as we are from principle averse to the invasion of those of others, have given to our country and government a standing in the great family of nations, of which we have just cause to be proud, and the advantages of which are experienced by our citizens throughout every portion of the earth to which their enterprise and adventurous spirit may carry them. Few, if any, remain insensible to the value of our friendship, or ignorant of the terms on which it can be acquired, and by which it can alone be preserved.

A series of questions of long standing, difficult in their adjustment, and important in their consequences, in which the rights of our citizens and the honor of the country were deeply involved, have, in the course of a few years (the most of them during the successful administration of my immediate predecessor), been brought to a satisfactory conclusion; and the most important of those remaining are, I am happy to believe, in a fair way of being speedily and satisfactorily adjusted.

With all the powers of the world our relations are those of honorable peace. Since your adjournment, nothing serious has occurred to interrupt or threaten this desirable harmony. If clouds have lowered above the other hemisphere, they have not cast their portentous shadows upon our happy shores. Bound by no entangling alliances, yet linked by a common nature and interest with the other nations of mankind, our aspirations are for the preservation of peace, in whose solid and civilizing triumphs all may participate with a generous emulation. Yet it behooves us to be prepared for any event, and to be always ready to maintain those just and enlightened principles of national intercourse for which this government has ever contended. In the shock of contending empires, it is only by assuming a resolute bearing, and clothing themselves with defensive armor, that neutral nations can maintain their independent rights.

The excitement which grew out of the territorial controversy between the United States and Great Britain having in a measure subsided, it is hoped that a favorable period is approaching for its final settlement. Both governments must now be convinced of the dangers with which the question is fraught; and it must be their desire, as it is their interest,

that this perpetual cause of irritation should be removed as speedily as practicable. In my last annual message you were informed that a proposition for a commission of exploration and survey promised by Great Britain had been received, and that a counter-project, including also a provision for the certain and final adjustment of the limits in dispute, was then before the British Government for its consideration. The answer of that government, accompanied by additional propositions of its own, was received through its minister here, since your separation. These were promptly considered; such as were deemed correct in principle, and consistent with a due regard to the just rights of the United States and of the State of Maine, were concurred in; and the reasons for dissenting from the residue, with an additional suggestion on our part, communicated by the Secretary of State to Mr. Fox. That minister, not feeling himself sufficiently instructed upon some of the points raised in the discussion, felt it to be his duty to refer the matter to his own government for its further decision. Having now been for some time under its advisement, a speedy answer may be confidently expected. From the character of the points still in difference, and the undoubted disposition of both parties to bring the matter to an early conclusion, I look with entire confidence to a prompt and satisfactory termination of the negotiation. Three commissioners were appointed shortly after the adjournment of Congress, under the act of the last session providing for the exploration and survey of the line which separates the States of Maine and New Hampshire from the British provinces; they have been actively employed until their progress was interrupted by the inclemency of the season, and will resume their labors as soon as practicable in the ensuing year.

It is understood that their respective examinations will throw new light upon the subject in controversy, and serve to remove any erroneous impression which may have been made elsewhere prejudicial to the rights of the United States. It was, among other reasons, with a view of preventing the embarrassments which, in our peculiar system of government, impede and complicate negotiations involving the territorial rights of a State, that I thought it my duty, as you have been informed on a



previous occasion, to propose to the British Government, through its minister at Washington, that early steps should be taken to adjust the points at difference on the line of boundary from the entrance of Lake Superior to the most north-western point of the Lake of the Woods, by the arbitration of a friendly power, in conformity with the seventh article of the Treaty of Ghent. No answer has yet been returned by the British Government to this proposition.

With Austria, France, Prussia, Russia, and the remaining powers of Europe, I am happy to inform you, our relations continue to be of the most friendly character. With Belgium, a treaty of commerce and navigation, based upon liberal principles of reciprocity and equality, was concluded in March last, and, having been ratified by the Belgian government, will be duly laid before the Senate. It is a subject of congratulation that it provides for the satisfactory adjustment of a long-standing question of controversy; thus removing the only obstacle which could obstruct the friendly and mutually advantageous intercourse between the two nations. A messenger has been dispatched with the Hanoverian Treaty to Berlin, where, according to stipulation, the ratifications are to be exchanged. I am happy to announce to you that, after many delays and difficulties, a treaty of commerce and navigation, between the United States and Portugal, was concluded and signed at Lisbon, on the 26th of August last, by the plenipotentiaries of the two governments. Its stipulations are founded upon those principles of mutual liberality and advantage which the United States have always sought to make the basis of their intercourse with foreign powers, and it is hoped they will tend to foster and strengthen the commercial intercourse of the two countries.

Under the appropriation of the last session of Congress, an agent has been sent to Germany for the purpose of promoting the interests of our tobacco trade.

The commissioners appointed under the convention for the adjustment of claims of citizens of the United States upon Mexico having met and organized at Washington, in August last, the papers in the possession of the Government, relating to those claims, were communicated to the board. The claims not embraced by that convention are now the subject of

negotiation between the two governments, through the medium of our minister at Mexico.

Nothing has occurred to disturb the harmony of our relations with the different governments of South America. I regret, however, to be obliged to inform you that the claims of our citizens upon the late Republic of Colombia have not yet been satisfied by the separate governments into which it has been resolved.

The chargé d'affaires of Brazil having expressed the intention of his government not to prolong the treaty of 1828, it will cease to be obligatory upon either party on the 12th day of December, 1841, when the extensive commercial intercourse between the United States and that vast empire will no longer be regulated by express stipulations.

It affords me pleasure to communicate to you that the government of Chili has entered into an agreement to indemnify the claimants in the case of the *Macedonian*, for American property seized in 1819; and to add that information has also been received which justifies the hope of an early adjustment of the remaining claims upon that government.

The commissioners appointed in pursuance of the convention between the United States and Texas, for marking the boundary between them, have, according to the last report received from our commissioner, surveyed and established the whole extent of the boundary north along the western bank of the Sabine River, from its entrance into the Gulf of Mexico to the thirty-second degree of north latitude. The commission adjourned on the 16th of June last, to reassemble on the 1st of November, for the purpose of establishing accurately the intersection of the thirty-second degree of latitude with the western bank of the Sabine, and the meridian line thence to Red River. It is presumed that the work will be concluded in the present season.

The present sound condition of their finances, and the success with which embarrassments in regard to them, at times apparently insurmountable, have been overcome, are matters upon which the people and Government of the United States may well congratulate themselves. An overflowing Treasury, however it may be regarded as an evidence of public pros-

perity, is seldom conducive to the permanent welfare of any people; and experience has demonstrated its incompatibility with the salutary action of political institutions like those of the United States. Our safest reliance for financial efficiency and independence has, on the contrary, been found to consist in ample resources unincumbered with debt; and, in this respect, the Federal Government occupies a singularly fortunate and truly enviable position.

When I entered upon the discharge of my official duties in March, 1837, the act for the distribution of the surplus revenue was in a course of rapid execution. Nearly twenty-eight millions of dollars of the public moneys were, in pursuance of its provisions, deposited with the States in the months of January, April, and July of that year. In May there occurred a general suspension of specie payments by the banks, including, with very few exceptions, those in which the public moneys were deposited, and upon whose fidelity the Government had unfortunately made itself dependent for the revenues which had been collected from the people, and were indispensable to the public service.

This suspension, and the excesses in banking and commerce out of which it arose, and which were greatly aggravated by its occurrence, made, to a great extent, unavailable the principal part of the public money then on hand; suspended the collection of many millions accruing on merchants' bonds, and greatly reduced the revenue arising from customs and the public lands. These effects have continued to operate, in various degrees, to the present period; and in addition to the decrease in the revenue thus produced, two and a half millions of dollars have been relinquished by two biennial reductions under the act of 1833, and probably as much more upon the importation of iron for railroads, by special legislation.

While such has been our condition for the last four years in relation to revenue, we have, during the same period, been subjected to an unavoidable continuance of large extraordinary expenses necessarily growing out of past transactions, and which could not be immediately arrested without great prejudice to the public interest. Of these, the charge upon the Treasury, in consequence of the Cherokee treaty alone, with-

out adverting to others arising out of Indian treaties, has already exceeded five millions of dollars; that for the prosecution of measures for the removal of the Seminole Indians, which were found in progress, has been nearly fourteen millions; and the public buildings have required the unusual sum of nearly three millions.

It affords me, however, great pleasure to be able to say that, from the commencement of this period to the present day, every demand upon the Government, at home or abroad, has been promptly met. This has been done, not only without creating a permanent debt, or a resort to additional taxation in any form, but in the midst of a steadily progressive reduction of existing burdens upon the people, leaving still a considerable balance of available funds which will remain in the Treasury at the end of the year. The small amount of treasury-notes, not exceeding four and a half millions of dollars, still outstanding, and less by twenty-three millions than the United States have in deposit with the States, is composed of such only as are not yet due, or have not been presented for payment. They may be redeemed out of the accruing revenue, if the expenditures do not exceed the amount within which they may, it is thought, be kept without prejudice to the public interest, and the revenue shall prove to be as large as may justly be anticipated.

Among the reflections arising from the contemplation of these circumstances, one, not the least gratifying, is the consciousness that the Government had the resolution and the ability to adhere, in every emergency, to the sacred obligations of law; to execute all its contracts according to the requirements of the Constitution; and thus to present, when most needed, a rallying-point by which the business of the whole country might be brought back to a safe and unvarying standard—a result vitally important as well to the interests as to the morals of the people. There can surely now be no difference of opinion in regard to the incalculable evils that would have arisen if the Government, at that critical moment, had suffered itself to be deterred from upholding the only true standard of value, either by the pressure of adverse circumstances, or the violence of unmerited denunciation. The man-

ner in which the people sustained the performance of this duty was highly honorable to their fortitude and patriotism. It can not fail to stimulate their agents to adhere, under all circumstances, to the line of duty; and to satisfy them of the safety with which a course really right, and demanded by a financial crisis, may, in a community like ours, be pursued, however apparently severe its immediate operation.

The policy of the Federal Government, in extinguishing as rapidly as possible the national debt, and, subsequently, in resisting every temptation to create a new one, deserves to be regarded in the same favorable light. Among the many objections to a national debt, the certain tendency of public securities to concentrate ultimately in the coffers of foreign stockholders, is one which is every day gathering strength. Already have the resources of many of the States, and the future industry of their citizens, been indefinitely mortgaged to the subjects of European governments, to the amount of twelve millions annually, to pay the constantly accruing interest of borrowed money—a sum exceeding half the ordinary revenues of the whole United States. The pretext which this relation affords to foreigners to scrutinize the management of our domestic affairs, if not actually to intermeddle with them, presents a subject for earnest attention, not to say of serious alarm. Fortunately, the Federal Government, with the exception of an obligation entered into in behalf of the District of Columbia, which must soon be discharged, is wholly exempt from any such embarrassment. It is also, as is believed, the only government which, having fully and faithfully paid all its creditors, has also relieved itself entirely from debt. To maintain a distinction so desirable, and so honorable to our national character, should be an object of earnest solicitude. Never should a free people, if it be possible to avoid it, expose themselves to the necessity of having to treat of the peace, the honor, or the safety of the Republic, with the governments of foreign creditors, who, however well disposed they may be to cultivate with us in general friendly relations, are, nevertheless, by the law of their own condition, made hostile to the success and permanency of political institutions like ours. Most humiliating may be the embarrassments consequent upon



such a condition. Another objection, scarcely less formidable, to the commencement of a new debt, is its inevitable tendency to increase in magnitude, and to foster national extravagance. He has been an unprofitable observer of events, who needs at this day to be admonished of the difficulties which a government habitually dependent on loans to sustain its ordinary expenditures, has to encounter in resisting the influence constantly exerted in favor of additional loans; by capitalists, who enrich themselves by Government securities for amounts much exceeding the money they actually advance—a prolific source of individual aggrandizement in all borrowing countries; by stockholders, who seek their gain by the rise and fall of public stocks; and by the selfish importunities of applicants for appropriations for works avowedly for the accommodation of the public, but the real objects of which are, too frequently, the advancement of private interests. The known necessity which so many of the States will be under to impose taxes for the payment of the interest on their debts, furnishes an additional and very cogent reason why the Federal Government should refrain from creating a national debt, by which the people would be exposed to double taxation for a similar object. We possess within ourselves ample resources for every emergency; and we may be quite sure that our citizens, in no future exigency, will be unwilling to supply the Government with all the means asked for the defense of the country. In time of peace there can, at all events, be no justification for the creation of a permanent debt by the Federal Government. Its limited range of Constitutional duties may certainly, under such circumstances, be performed without such a resort. It has, it is seen, been avoided during four years of greater fiscal difficulties than have existed in a similar period since the adoption of the Constitution, and one also remarkable for the occurrence of extraordinary causes of expenditures.

But to accomplish so desirable an object, two things are indispensable: first, that the action of the Federal Government be kept within the boundaries prescribed by its founders; and, secondly, that all appropriations for objects admitted to be Constitutional, and the expenditure of them also, be subjected to a standard of rigid but well-considered and practical economy.



The first depends chiefly on the people themselves, the opinions they form of the true construction of the Constitution, and the confidence they repose in the political sentiments of those they select as their representatives in the Federal Legislature; the second rests upon the fidelity with which their more immediate representatives, and other public functionaries, discharge the trust committed to them. The duty of economizing the expenses of the public service is admitted on all hands; yet there are few subjects upon which there exists a wider difference of opinion than is constantly manifested in regard to the fidelity with which that duty is discharged. Neither diversity of sentiment, nor even mutual recriminations, upon a point in respect to which the public mind is so justly sensitive, can well be entirely avoided; and least so at periods of great political excitement. An intelligent people, however, seldom fail to arrive, in the end, at correct conclusions in such a matter. Practical economy in the management of public affairs can have no adverse influence to contend with, more powerful than a large surplus revenue; and the unusually large appropriations for 1836 may, without doubt, independently of the extraordinary requisitions for the public service growing out of the state of our Indian relations, be, in no inconsiderable degree, traced to this source. The sudden and rapid distribution of the large surplus then in the Treasury, and the equally sudden and unprecedented severe revulsion in the commerce and business of the country pointing with unerring certainty to a great and protracted reduction of the revenue, strengthened the propriety of the earliest practicable reduction of the public expenditure.

But, to change the system operating upon so large a surface, and applicable to such numerous and diversified interests and objects, was more than the work of a day. The attention of every department of the Government was immediately, and in good faith, directed to that end; and has been so continued to the present moment. The estimates and appropriations for the year 1838 (the first over which I had any control) were somewhat diminished. The expenditures of 1839 were reduced six millions of dollars. Those of 1840, exclusive of disbursements for public debt and trust claims, will probably not exceed twenty-two and a half millions; being between two and three

millions less than those of the preceding year, and nine or ten millions less than those of 1837. Nor has it been found necessary, in order to produce this result, to resort to the power conferred by Congress, of postponing certain classes of public works, except by deferring expenditures for a short period upon a limited portion of them ; and which postponement terminated some time since, at the moment the Treasury Department, by further receipts from the indebted banks, became fully assured of its ability to meet them without prejudice to the public service in other respects. Causes are in operation which will, it is believed, justify a still further reduction, without injury to any important national interest. The expenses of sustaining the troops employed in Florida have been gradually and greatly reduced, through the persevering efforts of the War Department ; and a reasonable hope may be entertained that the necessity for military operations in that quarter will soon cease. The removal of the Indians from within our settled borders is nearly completed. The pension list, one of the heaviest charges upon the Treasury, is rapidly diminishing by death. The most costly of our public buildings are either finished, or nearly so ; and we may, I think, safely promise ourselves a continued exemption from border difficulties.

The available balance in the Treasury on the 1st of January next is estimated at one million and a half of dollars. This sum, with the expected receipts from all sources during the next year, will, it is believed, be sufficient to enable the Government to meet every engagement, and leave a suitable balance in the Treasury at the end of the year, if the remedial measures connected with the customs and the public lands, heretofore recommended, shall be adopted, and the new appropriations by Congress shall not carry the expenditure beyond the official estimates.

The new system established by Congress for the safe-keeping of the public money, prescribing the kind of currency to be received for the public revenue, and providing additional guards and securities against losses, has now been several months in operation. Although it might be premature, upon an experience of such limited duration, to form a definite opinion in regard to the extent of its influences in correcting

many evils under which the Federal Government and the country have hitherto suffered—especially those that have grown out of banking expansions, a depreciated currency, and official defalcations; yet it is but right to say that nothing has occurred in the practical operation of the system to weaken in the slightest degree, but much to strengthen, the confident anticipations of its friends. The grounds of these have been heretofore so fully explained as to require no recapitulation. In respect to the facility and convenience it affords in conducting the public service, and the ability of the Government to discharge through its agency every duty attendant on the collection, transfer, and disbursement of the public money with promptitude and success, I can say, with confidence, that the apprehensions of those who felt it to be their duty to oppose its adoption, have proved to be unfounded. On the contrary, this branch of the fiscal affairs of the Government has been, and it is believed may always be, thus carried on with every desirable facility and security. A few changes and improvements in the details of the system, without affecting any principles involved in it, will be submitted to you by the Secretary of the Treasury, and will, I am sure, receive at your hands that attention to which they may, on examination, be found to be entitled.

I have deemed this brief summary of our fiscal affairs necessary to the due performance of a duty specially enjoined upon me by the Constitution. It will serve, also, to illustrate more fully the principles by which I have been guided in reference to two contested points in our public policy, which were earliest in their development, and have been more important in their consequences than any that have arisen under our complicated and difficult, yet admirable system of government; I allude to a national debt, and a national bank.

It was in these that the political contest by which the country has been agitated ever since the adoption of the Constitution, in a great measure originated; and there is too much reason to apprehend that the conflicting interests and opposing principles thus marshaled will continue, as heretofore, to produce similar, if not aggravated, consequences.

Coming into office the declared enemy of both, I have earnestly endeavored to prevent a resort to either.

The consideration that a large public debt affords an apology, and produces, in some degree, a necessity also, for resorting to a system and extent of taxation which is not only oppressive throughout, but likewise so apt to lead, in the end, to the commission of that most odious of all offenses against the principles of republican government—the prostitution of political power, conferred for the general benefit, to the aggrandizement of particular classes, and the gratification of individual cupidity—is alone sufficient, independently of the weighty objections which have already been urged, to render its creation and existence the sources of bitter and unappeasable discord.

If we add to this its inevitable tendency to produce and foster extravagant expenditures of the public money, by which a necessity is created for new loans and new burdens on the people; and finally, if we refer to the examples of every government which has existed, for proof, how seldom it is that the system, when once adopted and implanted in the policy of a country, has failed to expand itself, until public credit was exhausted, and the people were no longer able to endure its increasing weight, it seems impossible to resist the conclusion that no benefits resulting from its career, no extent of conquest, no accession of wealth to particular classes, nor any, nor all its combined advantages, can counterbalance its ultimate but certain results—a splendid government, and an impoverished people.

If a national bank was, as is undeniable, repudiated by the framers of the Constitution, as incompatible with the rights of the States and the liberties of the people; if, from the beginning, it has been regarded by a large portion of our citizens as coming in direct collision with that great and vital amendment of the Constitution, which declares that all powers not conferred by that instrument on the General Government are reserved to the States and to the people; if it has been viewed by them as the first great step in the march of latitudinous construction which, unchecked, would render that sacred instrument of as little value as an unwritten constitution, dependent, as it would alone be, for its meaning, on the interested interpretation of a dominant party, and affording no security to the rights of the minority; if such is undeniably the case, what rational grounds

could have been conceived for anticipating aught but determined opposition to such an institution at the present day.

Could a different result have been expected, when the consequences which have flowed from its creation, and particularly from its struggles to perpetuate its existence, had confirmed in so striking a manner the apprehensions of its earliest opponents, when it had been so clearly demonstrated that a concentrated money power, wielding so vast a capital, and combining such incalculable means of influence, may, in those peculiar conjunctures to which this Government is unavoidably exposed, prove an overmatch for the political power of the people themselves; when the true character of its capacity to regulate, according to its will and its interests, and the interests of its favorites, the value and production of the labor and property of every man in this extended country, had been so fully and fearfully developed; when it was notorious that all classes of this great community had, by means of the power and influence it thus possesses, been infected to madness with a spirit of heedless speculation; when it had been seen that, secure in the support of the combination of influences by which it was surrounded, it could violate its charter, and set the laws at defiance with impunity; and when, too, it had become most apparent that to believe that such an accumulation of powers can never be granted without the certainty of being abused, was to indulge in a fatal delusion?

To avoid the necessity of a permanent debt, and its consequences, I have advocated and endeavored to carry into effect, the policy of confining the appropriations for the public service to such objects only as are clearly within the Constitutional authority of the Federal Government; of excluding from its expenses those improvident and unauthorized grants of public money for works of internal improvement, which were so wisely arrested by the Constitutional interposition of my predecessor, and which, if they had not been so checked, would long before this time have involved the finances of the General Government in embarrassments far greater than those which are now experienced by any of the States; of limiting all our expenditures to that simple, unostentatious, and economical administration of public affairs, which is alone consistent with the



character of our institutions; of collecting annually from the customs, and the sales of public lands, a revenue fully adequate to defray all the expenses thus incurred; but under no pretense whatsoever, to impose taxes upon the people to a greater amount than was actually necessary to the public service, conducted upon the principles I have stated.

In lieu of a national bank, or a dependence upon banks of any description, for the management of our fiscal affairs, I recommend the adoption of the system which is now in successful operation. That system affords every requisite facility for the transaction of the pecuniary concerns of the Government; and will, it is confidently anticipated, produce in other respects many of the benefits which have been from time to time expected from the creation of a national bank, but which have never been realized; avoid the manifold evils inseparable from such an institution; diminish, to a greater extent than could be accomplished by any other measure of reform, the patronage of the Federal Government—a wise policy in all governments, but more especially so in one like ours, which works well only in proportion as it is made to rely for support upon the unbiased and unadulterated opinions of its constituents; do away, forever, all dependence on corporate bodies, either in raising, collecting, safe-keeping, or disbursing the public revenues; and place the Government equally above the temptation of fostering a dangerous and unconstitutional institution at home, or the necessity of adapting its policy to the views and interests of a still more formidable money power abroad.

It is by adopting and carrying out these principles, under circumstances the most arduous and discouraging, that the attempt has been made, thus far successfully, to demonstrate to the people of the United States that a national bank at all times, and a national debt, except it be incurred at a period when the honor and safety of the Nation demand the temporary sacrifice of a policy which should only be abandoned in such exigencies, are not merely unnecessary, but in direct and deadly hostility to the principles of their Government, and to their own permanent welfare.

The progress made in the development of these positions appears in the preceding sketch of the past history and present



state of the financial concerns of the Federal Government. The facts there stated fully authorize the assertion that all the purposes for which Government was instituted have been accomplished during four years of greater pecuniary embarrassment than were ever before experienced in time of peace, and in the face of opposition as formidable as any that was ever before arrayed against the policy of an Administration; that this has been done when the ordinary revenues of the Government were generally decreasing, as well from the operation of the laws, as the condition of the country; without the creation of a permanent public debt, or incurring any liability, other than such as the ordinary resources of the Government will speedily discharge, and without the agency of a national bank.

If this view of the proceedings of the Government, for the period it embraces, be warranted by the facts as they are known to exist; if the army and navy have been sustained to the full extent authorized by law, and which Congress deemed sufficient for the defense of the country and the protection of its rights and its honor; if its civil and diplomatic service has been equally sustained; if ample provision has been made for the administration of justice and the execution of the laws; if the claims upon public gratitude in behalf of the soldiers of the Revolution have been promptly met and faithfully discharged; if there have been no failures in defraying the very large expenditures growing out of that long-continued and salutary policy of peaceably removing the Indians to regions of comparative safety and prosperity; if the public faith has at all times and everywhere been most scrupulously maintained by a prompt discharge of the numerous, extended, and diversified claims of the Treasury—if all these great and permanent objects, with many others that might be stated, have for a series of years, marked by peculiar obstacles and difficulties, been successfully accomplished without a resort to a permanent debt, or the aid of a national bank, have we not a right to expect that a policy, the object of which has been to sustain the public service independently of either of these fruitful sources of discord, will receive the final sanction of a people whose unbiased and fairly elicited judgment upon public affairs is never ultimately wrong?

That embarrassments in the pecuniary concerns of individuals, of unexampled extent and duration, have recently existed in this as in other commercial nations, is undoubtedly true. To suppose it necessary now, to trace these reverses to their sources, would be a reflection on the intelligence of my fellow-citizens. Whatever may have been the obscurity in which the subject was involved during the earlier stages of the revulsion, there can not now be many by whom the whole question is not fully understood.

Not deeming it within the Constitutional powers of the General Government to repair private losses sustained by reverses in business, having no connection with the public service, either by direct appropriations from the Treasury, or by special legislation designed to secure exclusive privileges and immunities to individuals or classes, in preference to, and at the expense of, the great majority necessarily debarred from any participation in them, no attempt to do so has been either made, recommended, or encouraged, by the present Executive.

It is believed, however, that the great purposes for the attainment of which the Federal Government was instituted, have not been lost sight of. Intrusted only with certain limited powers, cautiously enumerated, distinctly specified, and defined with a precision and clearness which would seem to defy misconstruction, it has been my constant aim to confine myself within the limits so clearly marked out and so carefully guarded. Having always been of opinion that the best preservative of the Union of the States is to be found in a total abstinence from the exercise of all doubtful powers on the part of the Federal Government, rather than in attempts to assume them by a loose construction of the Constitution or an ingenious perversion of its words, I have endeavored to avoid recommending any measures which I have reason to apprehend would, in the opinion even of a considerable minority of my fellow-citizens, be regarded as trenching on the rights of the States, or the provisions of the hallowed instrument of our Union. Viewing the aggregate powers of the Federal Government as a voluntary concession of the States, it seemed to me that such only should be exercised as were at the time intended to be given.

I have been strengthened, too, in the propriety of this course, by the conviction that all efforts to go beyond this tend only to produce dissatisfaction and distrust, to excite jealousies and to provoke resistance. Instead of adding strength to the Federal Government, even when successful, they must ever prove a source of incurable weakness, by alienating a portion of those whose adhesion is indispensable to the great aggregate of united strength, and whose voluntary attachment is, in my estimation, far more essential to the efficiency of a Government strong in the best of all possible strength—the confidence and attachment of those who make up its constituent elements.

Thus believing, it has been my purpose to secure to the whole people, and to every member of the confederacy, by general, salutary, and equal laws alone, the benefit of those republican institutions which it was the end and aim of the Constitution to establish, and the impartial influence of which is, in my judgment, indispensable to their preservation. I can not bring myself to believe that the lasting happiness of the people, the prosperity of the States, or the permanency of their Union, can be maintained by giving preference or priority to any class of citizens in the distribution of benefits or privileges, or by the adoption of measures which enrich one portion of the Union at the expense of another; nor can I see in the interference of the Federal Government with the local legislation and reserved rights of the States, a remedy for present, or a security against future dangers.

The first, and assuredly not the least, important step toward relieving the country from the condition into which it has been plunged by excesses in trade, banking, and credits of all kinds, was to place the business transactions of the Government itself on a solid basis; giving and receiving in all cases value for value, and neither countenancing nor encouraging in others that delusive system of credits from which it has been found so difficult to escape, and which has left nothing behind it but the wrecks that mark its fatal career.

That the financial affairs of the Government are now, and have been during the whole period of the wide-spreading difficulties, conducted with a strict and invariable regard to this great fundamental principle, and that by the assumption and

maintenance of the stand thus taken on the very threshold of the approaching crisis, more than by any other cause or causes whatever, the community at large has been shielded from the incalculable evils of a general indefinite suspension of specie payments, and a consequent annihilation for the whole period it might have lasted, of a just and invariable standard of value, will, it is believed, at this period, scarcely be questioned.

A steady adherence on the part of the Government to the policy which has produced such salutary results, aided by judicious State legislation, and what is not less important, by the industry, enterprise, perseverance, and economy of the American people, can not fail to raise the whole country, at an early period, to a state of solid and enduring prosperity, not subject to be again overthrown by the suspension of banks or the explosion of a bloated credit system. It is for the people and their representatives to decide whether or not the permanent welfare of the country, which all good citizens equally desire, however widely they may differ as to the means of its accomplishment, shall be in this way secured; or whether the management of the pecuniary concerns of the Government, and by consequence, to a great extent, those of individuals also, shall be carried back to a condition of things which fostered those contractions and expansions of the currency, and those reckless abuses of credit, from the baleful effects of which the country has so deeply suffered; a return that can promise in the end no better results than to reproduce the embarrassments the Government has experienced; and to remove from the shoulders of the present, to those of fresh victims, the bitter fruits of that spirit of speculative enterprise to which our countrymen are so liable, and upon which the lessons of experience are so unavailing. The choice is an important one, and I sincerely hope that it may be wisely made.

A report from the Secretary of War, presenting a detailed view of the affairs of that Department, accompanies this communication.

The desultory duties connected with the removal of the Indians, in which the army has been constantly engaged on the northern and western frontiers, and in Florida, have rendered it impracticable to carry into full effect the plan recommended

by the Secretary for improving its discipline. In every instance where the regiments have been concentrated they have made great progress; and the best results may be anticipated from a continuance of this system. During the last season, a part of the troops have been employed in removing Indians from the interior to the territory assigned them in the west—a duty which they have performed efficiently, and with praiseworthy humanity; and that portion of them which has been stationed in Florida continued active operations there throughout the heats of summer.

The policy of the United States in regard to the Indians, of which a succinct account is given in my message of 1838, and of the wisdom and expediency of which I am fully satisfied, has been continued in active operation throughout the whole period of my Administration. Since the spring of 1837 more than forty thousand Indians have been removed to their new homes west of the Mississippi, and I am happy to add, that all accounts concur in representing the result of this measure as eminently beneficial to that people.

The emigration of the Seminoles alone has been attended with serious difficulty, and occasioned bloodshed, hostilities having been commenced by the Indians in Florida, under apprehension that they would be compelled, by force, to comply with their treaty stipulations. The execution of the treaty of Payne's Landing, signed in 1832, but not ratified until 1834, was postponed, at the solicitation of the Indians, until 1836, when they again renewed their agreement to remove peaceably to their new homes in the West. In the face of this solemn and renewed compact, they broke their faith, and commenced hostilities by the massacre of Major Dade's command, the murder of their agent, General Thompson, and other acts of cruel treachery. When this alarming and unexpected intelligence reached the seat of Government, every effort appears to have been made to re-enforce General Clinch, who commanded the troops then in Florida. General Eustis was dispatched with re-enforcements from Charleston—troops were called out from Alabama, Tennessee, and Georgia; and General Scott was sent to take command with ample powers and ample means. At the first alarm, General Gaines organized a



force at New Orleans, and without waiting for orders, landed in Florida, where he delivered over the troops he had brought with him to General Scott.

Governor Call was subsequently appointed to conduct a Summer campaign, and, at the close of it, was replaced by General Jesup. These events and changes took place under the administration of my predecessor. Notwithstanding the exertions of the experienced officers who had command there for eighteen months, on entering upon the administration of the Government I found the Territory of Florida a prey to Indian atrocities. A strenuous effort was immediately made to bring those hostilities to a close; and the army, under General Jesup, was re-enforced until it amounted to ten thousand men, and furnished with abundant supplies of every description. In this campaign a great number of the enemy were captured and destroyed; but the character of the contest only was changed. The Indians, having been defeated in every engagement, dispersed in small bands throughout the country, and became an enterprising, formidable, and ruthless banditti. General Taylor, who succeeded General Jesup, used his best exertions to subdue them, and was seconded in his efforts by the officers under his command; but he, too, failed to protect the Territory from their depredations. By an act of signal and cruel treachery, they broke the truce made with them by General Macomb, who was sent from Washington for the purpose of carrying into effect the expressed wishes of Congress, and have continued their devastations ever since.

General Armistead, who was in Florida when General Taylor left the army by permission, assumed the command, and after active Summer operations, was met by propositions for peace; and from the fortunate coincidence of the arrival in Florida, at the same period, of a delegation from the Seminoles, who were happily settled west of the Mississippi, and are now anxious to persuade their countrymen to join them there, hopes were for some time entertained that the Indians might be induced to leave the Territory without further difficulty.

These hopes have proved fallacious, and hostilities have been renewed throughout the whole of the Territory. That this contest has endured so long, is to be attributed to causes



beyond the control of the Government. Experienced officers have had the command of the troops; officers and soldiers have alike distinguished themselves for their activity, patience, and enduring courage; the army has been constantly furnished with supplies of every description; and we must look for the causes which have so long procrastinated the issue of the contest, in the extent of the theater of hostilities, the almost insurmountable obstacles presented by the nature of the country, the climate, and the wily character of the savages.

The sites for marine hospitals on the rivers and lakes, which I was authorized to select and cause to be purchased, have all been designated; but the appropriation not proving sufficient, conditional arrangements only have been made for their acquisition. It is for Congress to decide whether those conditional purchases shall be sanctioned, and the humane intentions of the law carried into full effect.

The navy, as will appear from the accompanying report of the Secretary, has been usefully and honorably employed in the protection of our commerce and citizens in the Mediterranean, the Pacific, on the coast of Brazil, and in the Gulf of Mexico. A small squadron, consisting of the frigate *Constellation* and the sloop-of-war *Boston*, under Commodore Kearney, is now on its way to the China and Indian Seas, for the purpose of attending to our interests in that quarter; and Commander Aulic, in the sloop-of-war *Yorktown*, has been instructed to visit the Sandwich and Society Islands, the coast of New Zealand, and Japan, together with other ports and islands frequented by our whale-ships, for the purpose of giving them countenance and protection, should they be required. Other smaller vessels have been, and still are, employed in prosecuting the surveys of the coast of the United States, directed by various acts of Congress; and those which have been completed will shortly be laid before you.

The exploring expedition, at the latest date, was preparing to leave the Bay of Islands, New Zealand, in further prosecution of objects which have, thus far, been successfully accomplished. The discovery of a new continent, which was first seen in latitude  $66^{\circ} 2'$  south, longitude  $154^{\circ} 27'$  east, and afterward in latitude  $66^{\circ} 31'$  south, longitude  $153^{\circ} 40'$  east, by

Lieutenants Wilkes and Hudson, for an extent of eighteen hundred miles, but on which they were prevented from landing by vast bodies of ice which encompassed it, is one of the most honorable results of the enterprise. Lieutenant Wilkes bears testimony to the zeal and good conduct of his officers and men; and it is but justice to that officer to state that he appears to have performed the duties assigned him with an ardor, ability, and perseverance, which give every assurance of an honorable issue to the undertaking.

The report of the Postmaster-General, herewith transmitted, will exhibit the service of that Department the last year, and its present condition. The transportation has been maintained during the year to the full extent authorized by the existing laws; some improvements have been effected, which the public interest seemed urgently to demand, but not involving any material additional expenditure; the contractors have generally performed their engagements with fidelity; the postmasters, with few exceptions, have rendered their accounts and paid their quarterly balances with promptitude; and the whole service of the Department has maintained the efficiency for which it has for several years been distinguished.

The acts of Congress, establishing new mail-routes and requiring more expensive services on others, and the increasing wants of the country, have, for three years past, carried the expenditures something beyond the accruing revenues; the excess having been met, until the past year, by the surplus which had previously accumulated. That surplus having been exhausted, and the anticipated increase in the revenue not having been realized, owing to the depression in the commercial business of the country, the finances of the Department exhibit a small deficiency at the close of the last fiscal year. Its resources, however, are ample; and the reduced rates of compensation for the transportation service, which may be expected on the future lettings, from the general reduction of prices, with the increase of revenue that may reasonably be anticipated from the revival of commercial activity, must soon place the finances of the Department in a prosperous condition.

Considering the unfavorable circumstances which have existed during the past year, it is a gratifying result that the

revenue has not declined, as compared with the preceding year, but, on the contrary, exhibits a small increase; the circumstances referred to having had no other effect than to check the expected increase.

It will be seen that the Postmaster-General suggests certain improvements in the establishment, designed to reduce the weight of mails, cheapen the transportation, insure greater regularity in the service, and secure a considerable reduction in the rates of letter postage—an object highly desirable. The subject is one of general interest to the community, and is respectfully recommended to your consideration.

The suppression of the African slave-trade has received the continued attention of the Government. The brig *Dolphin* and schooner *Grampus* have been employed during the last season on the coast of Africa, for the purpose of preventing such portions of that trade as were said to be prosecuted under the American flag. After cruising on those parts of the coast most usually resorted to by slavers, until the commencement of the rainy season, these vessels returned to the United States for supplies, and have since been dispatched on a similar service.

From the reports of the commanding officers, it appears that the trade is now principally carried on under Portuguese colors; and they express the opinion that the apprehension of their presence on the slave coast has, in a great degree, arrested the prostitution of the American flag to this inhuman purpose. It is hoped that, by continuing to maintain this force in that quarter, and by the exertions of the officers in command, much will be done to put a stop to whatever portion of this traffic may have been carried on under the American flag, and to prevent its use in a trade which, while it violates the laws, is equally an outrage on the rights of others and the feelings of humanity. The efforts of the several governments who are anxiously seeking to suppress this traffic must, however, be directed against the facilities afforded by what are now recognized as legitimate commercial pursuits, before that object can be fully accomplished.

Supplies of provisions, water-casks, merchandise, and articles connected with the prosecution of the slave-trade, are, it is

understood, freely carried by vessels of different nations to the slave factories ; and the effects of the factors are transported openly from one slave station to another, without interruption or punishment by either of the nations to which they belong, engaged in the commerce of that nation. I submit to your judgments, whether this Government, having been the first to prohibit, by adequate penalties, the slave-trade—the first to declare it piracy—should not be the first, also, to forbid to its citizens all trade with the slave factories on the coast of Africa ; giving an example to all nations in this respect, which, if fairly followed, can not fail to produce the most effective results in breaking up those dens of iniquity.

Mr. Van Buren devotes this last and shortest of all his annual messages to a defense of his financial management and the other important affairs of his Administration. He clearly shows in what ways the public expenses had been increased during his term, and how ill-founded was the charge of excesses and extravagance against him. Although the expenses of the Government had increased somewhat in Mr. Van Buren's Administration, the causes mainly beginning before, were not chargeable to him. The machinery of the Government was also augmenting, and the salaries of the employés advancing. In succeeding Administrations the increase continued irregularly until it reached comparatively vast proportions. In this and his annual message of 1838, Mr. Van Buren makes a clear defensive statement as to the Florida War which he had inherited. Fearing that the result of the Presidential election portended the overthrow of the great work of his Administration, the "Independent Treasury," he now makes a final appeal for its retention and perfection.

At this short session Congress did little. A bankruptcy measure was discussed, but not finally acted upon; appropriations were made to continue the Seminole War; an act was passed authorizing another issue of treasury-notes; and the following resolution was introduced by Mr. Clay :—

*“Resolved, That the act entitled, ‘An Act for the collection, safe-keeping, transfer, and disbursement of the public revenues’ ought to be forthwith repealed, and that the Committee on Finance be instructed to report a bill accordingly.”*

The Senate properly rejected this motion, and so the Sub-Treasury was allowed to pass over for certain destruction under the new Administration.

A great outcry had been raised against General Jackson's extravagant use of the veto power. Of Mr. Van Buren there was little ground of complaint on this score, as he did not exercise the privilege, although the House had an opposition majority for a time, and during a great part of his term the combinations against his measures were successful. The veto was not in harmony with his ideas of popular government, and only under extreme circumstances did he think the Executive was justifiable in resorting to this extraordinary power.

On the 1st of January, 1841, President Van Buren had his last New-Year's calls, and, as in most cases before him and since, the callers were mainly of the opposite and successful party, his own political followers deserting him.

On the 10th of February, both Houses of Congress

met, and the Vice-President, Richard M. Johnson, opened the electoral returns for President and Vice-President, and they were counted; the result being two hundred and ninety-four votes, sixty only of which were for Mr. Van Buren, and two hundred and thirty-four for General Harrison for President. For Vice-President John Tyler had the same number (two hundred and thirty-four); Richard M. Johnson, forty-eight; Littleton Waller Tazewell, eleven; and James K. Polk one vote.

Mr. Van Buren was present at the inauguration of his successor, but soon afterwards took his departure for New York, settling down for the rest of his life, much against his own inclinations, at "Lindenwald," near Kinderhook, one of the most beautiful localities in all this magnificent country. His services to his party had been very great, and to the whole people his Administration had been beneficial in a high degree. He was still the favorite of General Jackson and a large per cent of the Democratic voters, especially in the North.

Richard Mentor Johnson, the ninth Vice-President of the United States, was born in Scott County, Kentucky, in the fall of 1781, and was the son of Robert Johnson, one of the early Virginia settlers in Kentucky, then a county of that State. Colonel Johnson received a fair book education for the times, obtained partly at Transylvania University at Lexington, and in part under the school-masters of his own county. He began the study of the law under George Nicholas, one of the foremost men of the



West in his day, and finished this part of his preparation for active life under James Brown, also a somewhat distinguished lawyer in Kentucky.

When the cry of war against Spain was raised in the Mississippi Valley in 1802, Johnson was active in recruiting a company, of which he was chosen captain. But his services were fortunately not needed at this time. On arriving at a proper age he was chosen to represent his county in the Legislature, and in 1807, was elected to the Lower House of Congress. He was continually re-elected and kept in his seat until 1819. He warmly supported the Administration of President Madison, and in the summer of 1812, when war had been declared against England, he hastened home to put forward the cause. He raised a battalion of three companies of mounted Kentuckians, and was made colonel of the completed regiment. With these men he operated on the frontier for several months, but was again in his seat in Congress in the following winter. He now raised another regiment of mounted men, and in September, 1813, joined General Harrison. In the battle of the Thames, he and his brother, James, who was lieutenant-colonel of the regiment, both distinguished themselves; and it was claimed at the time that Colonel Johnson killed the noted chief, Tecumseh, in this engagement, this opinion still being entertained by most of his countrymen who have looked into the history of the event. Johnson was himself badly wounded at the Thames, but actually took his seat in Congress in the spring of 1814.

In 1819 he was elected to the State Legislature, and by that body was chosen to fill a vacancy in the Senate of the United States, taking his seat in the winter of the same year. At the end of this term he was re-elected, and was then, in 1829, returned to the Lower House, where he remained until he was elected Vice-President of the United States by the House of Representatives in February, 1837. In 1840 he again made the race with Mr. Van Buren, but was defeated by John Tyler. This was the end of his public career in a national sense. He served a term or two in the State Legislature subsequently, and was a member of that body at the time of his death in Frankfort, on the morning of the 19th of November, 1850. On the following day his remains were interred with all the ceremony possible, at Frankfort; at which time the Rev. Stuart Robinson delivered a funeral oration in his honor, in which it was held that Colonel Johnson had maintained himself in a high position "among such statesmen as Adams, Jefferson, Madison, Monroe, Jackson, and Taylor."

Colonel Johnson was a man of really moderate qualities, as a lawyer, speaker, and legislator; but he made up in bravery, patriotism, and easy-going social qualities for any deficiency in these things, and managed in one way and another during his long service in Congress and as Vice-President, to be one of the most popular men in Washington City. He fought long and hard for the abolition of imprisonment for debt in the District of Columbia, and usually

ranged himself on the side of liberal legislation and sympathy with the poor and oppressed. Still he hardly reached the rank of a statesman, and was too much of a busybody in Washington society and affairs to be known there as a great man. On the whole, however, his Congressional record was good, and his national reputation honorable. He was brave and soldierly, and more than anything else, perhaps, his wounds for his country and his killing of Tecumseh in battle will serve to connect his name with the history of the Nation and give him a perpetual place in the esteem of his countrymen.

## CHAPTER XXI.

SEMINOLE WAR—MR. VAN BUREN'S INHERITANCE—CAUSES  
AND RESPONSIBILITY.

UNDER the Administrations of Mr. Monroe and his immediate successor there had been no little trouble with the Seminole Indians in Florida, the savages persistently resisting all efforts to remove them to the West. Since there had been a Seminole Indian he had been an offense to the white people who were his nearest neighbors on the north. The seven years' war which John Tyler had the good sense and good fortune to terminate, had its beginnings at an early day. It is no use now to disguise the fact that human slavery was the main cause of this war, and antedated all mere ostensible causes. While there is now no need of making any special parade of this fact, it must take its place in the history of a country, where there are at this day no political themes excluded from open investigation, or to be covered or condoned by the charity of silence, as sources of sectional offense. The day of political and social sectionalism is dead or rapidly passing away. Tyranny and bigotry in this direction belong mainly to a dead past which can be little attractive to a regenerated Republic with new parties and new

issues, and which has inherited little beyond the emaciated outlines of "State Rights" and the blessed "tariff," topics that exercised and enraged the giants of fifty years ago.

But the negro was not the only cause of the difficulties with the Florida Indians. The American greed for land has long been known throughout the world as a characteristic, and from the earliest times it has been the dread and disgust of the Indian tribes. If the white brother could not appropriate the Indian's body to his purposes, he wanted his lands and wanted him out of his way—facts he never lost an opportunity to keep before the poor savage. It irritated him and made him vengeful. And his temper was not sweetened by whisky, the invariable accompaniment of the civilization to which he was introduced. All of these things rendered even the agents of the Government rascals in their dealings with the Indians. Two tongues and two faces, they soon learned to give to their white friends; and while they never had any love to squander on the land-acquisitive Americans, they expected little else than abuse for themselves.

They lived in a country which they believed, with good reason, the Great Spirit had assigned to them as an inheritance forever. And now they were asked, and pressed to abandon it against all their inclinations. Their condition was a sad one, but how scant was the sympathy it ever elicited! The Seminoles did not wish to unite with the Creeks, they did not desire to remove to the

West; they wanted to be let alone in a land where they had acquired a tribal character and to which they were bound by ties that the white man only recognized as belonging to himself. Under all these aggravations they could do but one of two things, submit or fight. And whatever course they took appeared to be a necessity from which there was no escape, and in which their hearts were not warm.

Georgia and South Carolina were the last of the American States to abandon the African slave-trade. So late as 1808, cargoes of negroes were stolen from the coast of Africa and distributed among the Georgia planters. And so eager were the early Carolinians, and even their brethren in the far Northern Colonies, to enslave men, that they were not satisfied with their privileges as to the negro, but succeeded for a time in holding Indian slaves. These Indian slaves, as opportunity offered, from time to time, escaped from their hated white task-masters, into the Spanish Territory of Florida; and into this same safe retreat many negroes followed them. The Spanish government gave them a sort of protection, and considered them free citizens of Spain. As early as 1736 their numbers had become so considerable that they were deemed important in estimating the military strength of the Territory. About this time, too, South Carolina began to demand the return of the runaway negroes, a demand which was treated with contempt by the Spanish Governor at St. Augustine.

Georgia was then an Indian country, and was



organized as a free Territory, to be, as was supposed, a barrier between Carolina and Florida. But Georgia not only soon fell into the system of slavery, but the neighboring Indians also became slave-owners, and held with great pertinacity to their assumed rights in this "species of property." These runaways from slavery were originally termed Seminoles, but the name was subsequently applied especially to the Florida Indians, who were largely Seminoles or runaways from the Creek nation. In 1750, the first considerable body of these Creek emigrants, led by Seacoffee, settled in Florida, where they claimed and received the protection of Spain. They were called *Seminoles*, and soon took the name as that of their nation formed with the Micosukees, and, to some extent, the runaway negroes from the neighboring slave States. The Indians and negroes sometimes intermarried, but mainly lived separately, some of the Seminoles themselves becoming slave-owners.

It may here be said, however, that of all the masters to whom the Africans have ever been subjected, the yoke of the Seminole was the lightest. The negro was far more industrious and enterprising than the Indian, and the wants of this high-toned master were few. A little service sometimes, and a few bushels of corn, were all he required of the life and labor of his slave. No negro who had tasted the freedom of this slavery could desire to return to the "tender mercies" of the plantation overseer.

After the close of the Revolutionary War the

American passion for land became more pressing upon these Indian lords of the soil. Georgia wanted her borders extended, and for this purpose the Indians must give way. The civilized and courteous plan was the treaty, and infringements and failures brought contention and strife. Neither Congress nor General Washington was able to satisfy Georgia, and in the teeth of the Federal Government she took things pretty much into her own hands, as she continued to do under subsequent Administrations, even setting aside the decrees of the Supreme Bench with impunity under President Jackson.

In 1811 and the following year there was a strong demand for the annexation of Florida on the part of the neighboring slave-owners, who wanted to break up this old retreat for runaway slaves. Indeed, much earlier in the century some Southern politicians had directed their attention to this purpose. In 1812 Georgia actually penetrated Florida, with a considerable army, on her own responsibility, but this did nothing but irritate the Indians; and could not have been of any possible benefit in changing the ownership of the territory.

During the War of 1812 some of the British turned their attention to the negroes and Indians of Florida, but the result of their friendship was detrimental to themselves and the poor savages, as has been fully shown in preceding volumes of this work; where are also to be found some history of the brief Seminole War of 1818, the many extraordinary events connected with it, and the establishment of

the authority of the United States in all Florida in 1821.

By this time many of the runaway negroes and their descendants had been killed or carried off by the British or been returned to slavery in Georgia and Carolina. The former State had also called upon the Government to assume a debt she held against the Creek Indians for fugitive slaves. A commission was appointed under the fifth Administration to examine this preposterous claim, and one hundred and nine thousand dollars were actually admitted and appropriated by Congress. So matters went on.

Many of the Seminoles had become cattle-raisers as were the white settlers, and cattle-stealing and other robberies on both sides led to murders, treaties, and war. The following letter, purporting to be from many Seminoles, tells truthfully enough how it was on their side, and any one at all acquainted with savage barbarity and treachery can readily suppose they were not much behind their white lovers:—

“DEAR SIR,—Since the last war, after you sent us word that we must quit the war, our red people have come over on this side. The white people have carried all the red people’s cattle off. Bernard’s son was here, and I asked him what to do about it. He told me to go to the head white man and complain. I did so, and there was no head white man, and there was no law in the case. The whites first began to steal from us, and there’s nothing said about that, but great complaints about what the Indians do. It is now three years since white people killed three Indians; and since, they have killed three more; and since, one more. The white people killed our

red people first. The Indians took satisfaction. There are three men that the red people have not taken satisfaction for yet. There is nothing said about what white people do, but all that the Indians do is brought up. The cattle that we are accused of taking, were cattle that the white people took from us. Our young men went out and brought them back with the same marks and brands."

That is the way it was in 1822, and that is the way it always has been, and the way it always will be while the American has an Indian nation holding a foot of land, or receiving a dollar of annuity, with which to deal. A treaty with the Indians has always been a polite way of saying that they must do just what the Great Father at Washington, who always meant well, and some of his rascally agents, who seldom meant any thing but evil to the Indian, desired them to do.

General Jackson was anxious and willing to attempt to compel the Seminoles to reunite with the Creeks, whom he had whipped, and this they had reason to regard as an injustice. They did not desire a union with the Creeks. They were an independent nation, as able to manage their own affairs as the Creeks were to manage theirs. They wanted their lands, and wanted to be let alone. But these were two things they were never destined to have for any great length of time. The Indian philosopher, even in the reduced condition of his race, can only look forward with certainty to one thing, and that is death. Still, after all, he is not much worse off in this world than his most fortunate white

pursuer, who, in fact, is never so certain of any thing else.

On the 8th of May, 1832, James Gadsden, on the part of the United States, met the Indians at Payne's Landing, on the Ocklawaha River, and entered into a treaty with them. This provided that they should reunite with the Creeks, if they found them well disposed, give up all their claims in Florida, and remove to the Indian Territory west of the Mississippi; that the Government should pay them fifteen thousand four hundred dollars, and give the two famous negroes, Abraham and Cudjo, two hundred dollars each; that their cattle, etc., should be appraised and paid for by the United States; that three thousand dollars a year for fifteen years should be added in their behalf to the Creek annuities; and that the United States should become responsible for seven thousand dollars' worth of claims against them for runaway slaves.

This treaty was signed by most of the chiefs, and sub-chiefs of the Seminoles, Micanopy, the head chief and governor of the nation, being one of them. But the first article provided that some of the chiefs, with Abraham, should be sent to examine the country to which they were to remove, and if they liked it and the disposition of the Creeks towards them, then the remainder of the treaty should be binding. It was thus purely provisional and not binding unless the Indians were satisfied. But a diplomatic trick was now played under the direction of General Jackson to take away this provision, and make the

treaty valid. The savages were not to be allowed to be dissatisfied. Three commissioners were sent to Fort Gibson, Arkansas, to meet the Indian explorers, and have every thing in readiness for them; and there the Indian delegates were induced to sign the additional "treaty," which declared that they were well pleased, willing to conform to the requirements of the Government, to remove when provision was made for them, and this final agreement was to be binding upon the nation. This addition to the treaty of Payne's Landing was signed March 28, 1833. The commissioners had previously arranged with the Creeks for the land the Seminoles were to occupy on the Canadian River. By the conditions of the treaty they had agreed to evacuate entirely the lands in Florida in 1833 and the two following years. But they really hated the Creeks, and did not on any conditions want to leave their old homes.

The negroes, notwithstanding their misfortunes, were now ten or twelve hundred strong, slave and free, and their influence over the Indians was very potent. They were generally opposed to the removing. Abraham was, however, in favor of the step, and mainly owing to his influence the Fort Gibson arrangement was entered into. The delegates had, in fact, been cajoled into signing the additional treaty, which none of them would have done at home; and few of the more spirited were willing to consider themselves bound by it. So they declined to adhere to the agreement or to leave Florida. John H. Eaton, then Governor of Florida,



seeing the trouble ahead, wrote as follows to the Secretary of War:—

“TALLAHASSEE, March 8, 1835.

“DEAR SIR,—I have received your letter, with its inclosures, relative to the removing the Seminole Indians, under the provisions of the treaty of 1832, but which was not ratified until 1834. I pray you, does not this circumstance raise a doubt whether, by strict rule, the treaty can be considered to be valid and binding? Our Indian compacts must be construed and be controlled by the rules which civilized people practice, because in all our actions with them, we have put the treaty-making machinery in operation precisely in the same way, and to the same extent, that it is employed with the civilized powers of Europe. The rule practiced upon us has been, and is, that the ratification shall take place within either an agreed time or a reasonable time. When Florida was ceded in 1819, the Cortes failed to interchange ratifications within the prescribed time, and afterwards, at a subsequent session, it was assented to by the Spanish Cortes. The sense of this Government was, that the first ratification made by the Senate was inoperative; and again the subject was submitted by Mr. Monroe, for the action and approval of the Senate. This appears to me to be a precedent which runs parallel with this Indian compact. It says, one-third shall remove the first year, viz.: early as practicable in 1833; and one-third in the next; and the next 1834–35. Now, until 1834, when the ratification took place, the treaty was a dead letter. It is in their power now to plead and say, We were ready in 1833 and 1834, and hearing nothing of your determination, we had a right to suppose that you did not mean to stand by the treaty, and accordingly our minds have changed. With civilized nations I think the plea would be available; and if so, the Indian should have the benefit of it.

“Were these people willing, voluntarily, to remove (though such seems not to be the case), the whole difficulty would be cured, and no evil could arise. But as military force is about to be resorted to, it is material that the Government, before making such appeal, be satisfied that right and justice is on their side, and that they are not engaged in the execution of a treaty, which, if void, is no part of the law of the land.

“The people here want the lands on which they reside, and they will urge a removal *fas aut nefas*; and the Big Swamp which, in the treaty, is declared to be the first of their country to be vacated, is of high repute, and is that on which the eyes of speculators are fixed. But whether they shall have it this year or the next, or the next thereafter, is of less importance to the country than that anything should be done calculated to impair the character of the Government for justice, and for equitable and fair dealing. Whence the necessity of any speedy removal? Presently, if let alone, these Indians will go of their own accord, because they can not avoid it. To stay is to starve; and nature and its demands will soon tell them more and better, and more convincing things on this subject than you and the President can write.

“The employing a military force will be an act of war, and the Indians will embody and fight in their defense. In this event, you will want such an imposing force as shall overawe resistance. The few companies you have ordered will not produce this result. They will serve but to begin the fight, and to awaken angry feelings, so that in the sequel, the militia will have to be called, which will end in the butchery of these miserable people. Send a strong, imposing, regular force, which can be commanded, and prevented from doing more than actually is needful to be done; and then that force, judiciously acting and forbearing, may do much. But send only a handful of men, and difficulties will come upon you.

“The preferred and preferable course, I think, will be to send amongst them active and intelligent men, to court them to what is right, in the hope that, during the year, their minds may be so prepared as to be induced to depart during November at least, that they may reach their homes in time to raise corn the succeeding year. On the whole, and to conclude a tiresome letter, I offer this advice: Avoid the exercise of force as long as possible, and let it be the only, the last sad alternative, and then let not, by any means, the militia be appealed to; they will breed mischief! With great respect,

“HON. L. CASS, Secretary of War.”

“J. H. EATON.

Contentions as to the rightful ownership of the negroes held by the Seminoles now increased. The Creeks claimed some of them, and the whites made no end of their claims, not even with the dead. The Seminoles on the other hand said that the whites were holding negroes that belonged to them. All the Government agents, from Benjamin Hawkins, Gad Humphreys, Governor William P. Duval, Judge Smith, Wiley Thompson, James Gadsden down to General Duncan L. Clinch, had been slaveholders in the slavery interest; and by them and in the other ways mentioned, matters were brought on until the country was involved in a long and inglorious war with a few poor Indians and negroes in the swamps of Florida, a war upon which it is difficult at this day to reflect with calmness, and which exhausted the military skill of the country.

The following letters, one of them from a man to whom General Jackson would hardly deny anything, and the other from the Indian agent, will well

exhibit one of the many means resorted to for getting rid of the Indians :—

“WASHINGTON, March 22, 1835.

“SIR,—I have received letters from some of my friends at Tallahassee to-day, requesting me, if possible, to obtain permission from the Government to purchase the Indian right to certain negroes residing among the Seminoles, and supposed to belong to the Indians. If there is no objection to such a purchase, and I presume there can be none, there is no measure which would contribute so much as this to the removal of the Indians. The negroes have great influence among the Indians; they are better agriculturists and inferior huntsmen to the Indians, and are violently opposed to leaving the country. If the Indians are permitted to convert them into specie, one great obstacle in the way of removal may be overcome.

“I have, therefore, to request that Robert W. W. Williams and William Baily may be authorized, under the approval of the agent, to make a purchase of one hundred and fifty of these negroes.

“I shall be greatly obliged by having the permission sought for, forwarded to me at Tallahassee, for which place I set out to-morrow.

“Very respectfully, your obedient servant,

“R. K. CALL.

“TO THE PRESIDENT OF THE UNITED STATES.”

“INDORSEMENT OF THE PRESIDENT.—There can be no reason for not giving a permission to purchase their slaves, as it appears to me, directing the agent to see that they obtain a fair price for them. A. J.”

“SEMINOLE AGENCY, June 17, 1835.

“Your letter of the 22d ultimo has been received, and I must, in reply, be permitted to express, very respectfully, my great regret that the Department and

myself should differ so widely on a subject which I verily believe so deeply involves principles of humanity, justice, and an enterprise, for the success of which, standing in the relation which I do to the Government and these people, I am more responsible, perhaps, than any other person.

"It is your privilege to decide, and my duty to submit. Yet if the Department could be satisfied that the undeniable abhorrence of the negroes in this nation to the idea of being transferred from their present state of ease and comparative freedom, to sugar and cotton plantations, under the control of severe task-masters, had been made to subserve the views of the Government, by inducing the negroes to exert their known influence over the Indians, through pledges made to them, accompanied by assurances that the removal West would, more than anything else, serve to secure the existing relations between them and the Indians; then surely the Department, instead of classing them with the Indian skins and furs, would require a punctilious redemption of those pledges.

"The admission into the Seminole nation of Mr. Winslet, the Creek agent, for the purpose of recovering three negroes belonging to Mr. Everett, of Georgia, was certainly very unwise, and showed a lack of prudence that seems almost unpardonable. It is granted, too, at a time when the highest state of excitement prevailed on the subject, and in the face of objections urged against the permission sanctioned by the President, and in direct contravention of an article in the treaty which provides for the payment of those claims by the United States. And it is also a direct violation of those rights which the United States guaranteed should be held sacred, and which is expressly stipulated in the fourth article of the Camp Moultrie treaty. The words are: 'The United States promise to guarantee to the said tribe of Indians peaceable possession of the said district of country herein

assigned them, reserving the right of opening through it such road as may be deemed necessary, and to restrain and to prevent all white persons whatsoever from hunting, settling, or otherwise intruding upon it.' ”

In October, 1834, Mr. Thompson, then the agent, held a council with the Indians to decide what they were going to do. In introducing the subject the agent came to the point at once about as follows :—

“ Instead of settling in the country allotted to you adjoining to them, in a body by yourselves, they invite you to settle promiscuously among them; but they think all will be more prosperous and happy, and that there will be less strife and contention if you will, on their invitation, relinquish your right to a separate settlement, and settle promiscuously among them. Such an arrangement will, they think, enable the Muscogee people to become, as they were in the days of other years, a great nation. You alone have the right to decide whether you will accept the invitation or not; it is left, as it should be, entirely optional with you, and no person but yourselves has any right to say you shall or shall not accede to the proposition. Take this with you when you retire; reflect upon it, and make up your minds for yourselves and people.

“ Though the President does not believe that any of his red children here are so dishonest and faithless as to refuse to go, yet a circumstance occurred last year which induced a belief that some person or persons around here had a disposition to meddle in regard to the removal; that some person had recommended that a delegation should be sent to the President. This made the President angry.

“ The next question arises out of the fifth article of the treaty at Payne's Landing. (That article was read and



explained). The question is, whether those among you who own cattle (which are to be given up to the United States at a fair valuation) will prefer to take cattle at your new home, or there receive the amount of money which shall be adjudged to be the value of the cattle you gave up here? I wish those of you who desire cattle to be returned to you at your new homes, for such as you may leave here, to inform me of your wish, that the Government may be apprised in time to comply.

“The next question is, whether you will petition to go by water, as the best mode of getting all the old men, women, the children, lame, sick, and lazy of your people comfortably along on their journey to their new home?

“The next and last question is, how will you have the next annuity paid to you; will you have it in goods or in money? Should you prefer to receive it in such goods as will suit your wants, your father, the President, will have them delivered to you at fair prices, and much lower than you obtain them from the traders. In conclusion, as your friend and brother, I have only to say, that Captain Russell and myself are to accompany you to your new home; and for myself, and I will add for Captain Russell, who hears me, we pledge ourselves to be your friends; to share your toils and hardships, and your sufferings, if, unfortunately, any of you should unexpectedly suffer.

“The proposition which I present for your decision is:

“1st. Will you accept the invitation of your brothers of the western Creek nation?

“2d. Do you prefer cattle or money when you arrive at your new home, for the cattle, which, under the treaty, you must give up here?

“3d. Will you petition to go by water, or do you prefer to go by land?

“4th. How will you have your next annuity paid to you, in money or in goods?

“These are the questions I wish you to deliberate upon, and give me your answer to them as soon as you have made up your minds. When you retire and enter into private council upon the propositions which I have thus submitted, should you want any further explanations, on either point, send for me; I will attend to you, give the desired explanation, and retire immediately, so as not to be an intruder on your private council. You are at liberty to retire.”

The Indians withdrew for consideration. One of the first speakers was the spirited young chief, Assiola (Oseola or Powell), who declared positively against removal or submission to the demands made upon them. The following extracts from speeches of several of the so-called Indian orators on this occasion must be of permanent interest:—

“My Brothers and Friends,—You want to hear my talk. When we made a treaty at Payne’s, some of us said, if the land was good for us, we would go across the great Mississippi. We were told it would be better for the red people, and the red people could be happy there; that if we staid here the bad white men would wrong us; so we went to see the land our great father said we must have, and it was good land. We told the agents, whom our father sent with us, that we would do as our father bade us. My Brothers! I do n’t want to talk like a foolish child. My talk is good for my people; and I say we must act honest, and do as our great father at Washington tells us.”

After Holata Amathla became seated, Jumper, the Sense-keeper, was requested to give his views to the council, which he did as follows:

“My Brothers! You have listened to the talk of our brothers; now hear mine. I do not make talks to-day to break them to-morrow. I told the agent I was glad to see the lands which our great father said we must have, and I

told him that I and my people would go, and now we have no excuse. If we don't go, our father will send his men to make us go, and we will lose many of our tribe, because the wrath of the Great Spirit will come upon us.

"My Brothers! You heard what the agent tells us. Our father at Washington says we must act like good and honest chiefs, and go without any trouble. Let us show our father that his red children are honest."

Arpiucki then proposed that Holata Amathla should represent to the agent the objections of the nation to a removal; but Holata replied:

"My people! I am not a foolish child to make such a talk; when I talk to the agent, I talk like a man."

Jumper was then selected to speak the sentiments of the nation the following day.

*Friday, October 24, 1834.*—The Indians again met in council. The agent then told them that he had given them a talk yesterday, and asked them if they were ready to give him an answer to the several propositions which he then referred to them. The first was in regard to the invitation of the western Creeks; the second was on the subject of their cattle; the third was, that if you should wish to go by water, and would say so, I would recommend it to the President; the fourth was, as to whether you will have the next annuity paid to you in money or goods. Upon these points I am now ready to receive your answer.

Abraham was selected as their interpreter.

Holata Mico then rose and said: "God made all of us, and we all came from one woman—sucked one bubbly; we hope we shall not quarrel; that we will talk until we get through."

Micanopy then said: "When we were at Camp Moultrie we made a treaty, and we were to be paid our annuity for twenty years. That is all I have got to say."

Jumper said: "At Camp Moultrie they told us all difficulties should be buried for twenty years, from the date of the treaty made there; that after this we held a treaty at Payne's Landing, before the twenty years were out; and they told us we might go and see the country, but that we were

not obliged to remove. The land is very good. I saw it, and was glad to see it; the neighbors there are bad people; I do not like them bad Indians, the Pawnees. I went and saw the place. I told the agent that I was a rogue; that he had brought me to the place here along side and among the rogues, the bad Pawnees, because I am a rogue. I went to see the land, and the commissioners said that the Seminoles must have that land. When we went west to see the land, we had not sold our land here, and we were told only to go and see it. The Indians there steal horses, and take packs on their horses; they all steal horses from the different tribes; I do not want to go among such people; your talk seems always good, but we do n't feel disposed to go west."

Holata Amathla: "The horses that were stolen from us by the Cherokees, we never got back (the party that went west). We then told the agent that the people were bad there; the land was good. When we went there, we saw the Indians bring in scalps to the garrison. When we were there, we had a meeting with McIntosh; he told us that among all their neighbors they had peace. That he and Col. Arbuckle were to send out to have a treaty of peace with all the Spanish Indians; and, when that was done, a report of it was to be sent to Washington. I am sick. I can not say all I want to say. I am a man that wants to talk coolly and deliberately, and to tell the truth in all things. They promised to send to our nation word when peace was made with all those Indians west of the great river. My Brothers! I want the chiefs to address the agent, and express their opinion—as we have different opinions; we will talk it over, and consult, and try to come all of one opinion."

Charley Amathla then rose and said: "The speakers of the nation are all dead; but I recollect some of their words when they had the meeting at Camp Moultrie. I was not there, but heard that we would be at peace, and that we would have our annuity paid to us for twenty years. White people have told me that the treaty at Camp Moultrie, which was made by great men, and not to be broken, had secured them for twenty years; that seven years of that treaty are still unexpired. I am no half-breed, and do not lean on one side. If they tell me to go

after the seven years, I say nothing. As to the proposition made us by the agent about removing, I do not say I will not go; but I think that, until the seven years are out, I give no answer. My family I love dearly and sacredly. I do not think it right to take them right off. Our father has often said to me that he loves his children; and they love him. When a man is at home, and got his stock about him, he looks upon it as the subsistence of himself and family. Then, when they go off, they reflect and think more seriously than when quiet at home. I do not complain of the agent's talk. My young men and family are all around me. Should I go west, I should lose many on the path. As to the country west, I looked at it; a weak man can not get there—the fatigue would be so great; it requires a strong man. I hardly got there. When I went there, the agent, Major Phagan, was a passionate man; he quarreled with us after we got there. If he had done his duty, it would all have been settled, and there would have been no difficulty. If I know my own heart, I think I am true. If I differ from the agent, he is a free man, and has his right to his talk. I hope his talk will bring all things right, that hereafter we may all live well together. I am pleased with the sight of the agent, and hope we may know each other better."

The agent then said: "I have no answer to make to what you have said to me to-day. My talk to you yesterday must and will stand, and you must abide by it. I am surprised at the chiefs, that, after the solemn treaty they entered into at Payne's Landing, they should come to me to-day with such a talk as they have made. Is it any thing like an answer to the propositions and questions which I submitted yesterday, for your consideration and decision? The meeting was appointed for the 21st instant; three days have passed away, and the chiefs come to me to-day with a foolish talk about Camp Moultrie. Is this a talk like chiefs? Is it such as I had a right to expect from you after my honest talk to you? I will not, dare not, receive your talk to-day as any thing like an answer to the questions which I submitted to you yesterday. I must have a direct answer to these questions: The first is, Will you accept of the invitation from your brothers of the

west? The second is, Do you prefer money or cattle, at your new home, for the cattle you will leave here? The third is, Do you wish to go by water? The fourth is, Do you prefer to have your next annuity paid to you in goods, suitable to your wants, or will you have it in money? And I want, when you meet me again in council, that you give a correct account of the number of your people, that the Government may provide for you comfortably while on your journey, whether by land or by water. Now retire, and take as much time as is necessary to deliberate on the points which I have submitted to you; and when you are ready to meet me, let me know. When you come here again, come prepared to act like chiefs and honorable men; do n't bring to me any more foolish talks. Men do not listen to the talks of a child; and remember that the talk I gave you must and will stand."

*October 25, 1834.*—The council convened at 11 o'clock. Interpreters as yesterday.

The agent said to the council, "I am ready to receive your answers to the questions which I submitted to you."

Holata Mico: "I have only to repeat what I said yesterday, and to say that the twenty years from the treaty at Moultrie has not yet expired. I never gave my consent to go west; the whites may say so, but I never gave my consent."

Charley Amathla: "The agent told us yesterday we did not talk to the point. I have nothing to say different from what I said yesterday. At Payne's Landing, the white people forced us into the treaty. I was there. I agreed to go west, and did go west. I went in a vessel, and it made me sick. I undertook to go there; and think that, for so many people, it would be very bad. The Indians and the whites have spilt no blood. They stole things from each other. At Payne's Landing the tomahawk was buried, and peace was to prevail as long as agreed on between whites and Indians. They agreed at Payne's Landing, that if blood was seen in the path to think it was because a person had snagged his foot. We wish to hear the agent's views and opinions on the matter."

Agent: "You tell me you wish to hear me upon the subject of your relations with the United States, and you have told me that you want to talk the matter over calmly, and in



good-humor. I am not mad; I am your friend. I feel here that I am, and that it is my official duty to be so. All the reply required of me, officially, to your foolish and unreasonable talk, is, that it is no answer to the questions I submitted to you. I can not, I dare not receive it as an answer. I have told you that you must stand to your bargain. My talk is still the same. You must go west. Your father, the President, who is your friend, will compel you to go. Therefore, be not deluded by any hope or expectation that you will be permitted to remain here. You have expressed a wish to hear my views and opinion upon the whole matter. As a man, and your friend, I will this day deign to reason with you; for I want to show you that your talk of to-day is the foolish talk of a child. Holata Mico tells me that one God made us all, and that we all descended from one woman, and drew nourishment from one breast. When I admit this truth, as I cheerfully do, I feel here in my bosom that you are my brothers, and that I am your friend. We should therefore act towards each other as brothers, and not speak with a forked tongue; if we do, or if we try to break our solemn talks, that Great Spirit that made us will punish us. Miconopy tells me that he did not sign the treaty at Payne's Landing, and that the twenty years of the annuity, according to the Camp Moultrie treaty, is not expired. I hold in my hand the treaty at Payne's Landing; here is Miconopy's name and mark to it; it was witnessed by (here the witnesses were named). They are honest men, therefore Miconopy does not tell the truth. He did sign the treaty at Payne's Landing."

Micanopy here interrupted the agent by saying: "I did not touch the pen; I only reached over (the body of another chief) and pointed at it."

Agent: "You lie, for you did touch the pen; you attempted to sign by pointing, but you were told to touch it. John Hicks (the chief) bent down out of your way. You did sign the treaty."

## CHAPTER XXII.

SEMINOLE WAR—ITS SECRET HISTORY—THE PRESIDENT'S  
HAND—SLAVERY UPPERMOST—A SAD PICTURE.

IN April, 1835, several hundred of the Indians were again called into council to hear the last talk of the President, when the following address was read to them:—

“TO THE CHIEFS AND WARRIORS OF THE SEMINOLE INDIANS IN  
FLORIDA :—

“MY CHILDREN,—I am sorry to have heard that you have been listening to bad counsels. You know me, and you know that I would not deceive, nor advise you to do any thing that was unjust or injurious. Open your ears and attend to what I shall now say to you. They are the words of a friend, and the words of truth.

“The white people are settling around you. The game has disappeared from your country. Your people are poor and hungry. All this you have perceived for some time. And nearly three years ago you made an agreement with your friend, Colonel Gadsden, acting on the part of the United States, by which you agreed to cede your lands in Florida, and to remove and join your brothers, the Creeks, in the country west of the Mississippi. You annexed a condition to this agreement, that certain chiefs, named therein, in whom you placed confidence, should proceed to the western country, and examine whether it was suitable to your wants and habits; and whether the Creeks residing there were willing to

permit you to unite with them as one people ; and if the persons thus sent, were satisfied on these heads, then the agreement made with Colonel Gadsden was to be in full force.

“ In conformity with these provisions, the chiefs named by you proceeded to that country, and having examined it, and having become satisfied respecting its character and the favorable disposition of the Creeks, they entered into an agreement with commissioners on the part of the United States, by which they signified their satisfaction on these subjects, and finally ratified the agreement made with Colonel Gadsden.

“ I now learn that you refuse to carry into effect the solemn promises thus made by you, and that you have stated to the officers of the United States, sent among you, that you will not remove to the western country.

“ MY CHILDREN : I have never deceived, nor will I ever deceive, any of the red people. I tell you that you must go, and that you will go. Even if you had a right to stay, how could you live where you now are? You have sold all your country. You have not a piece as large as a blanket to sit down upon. What is to support yourselves, your women and children? The tract you have ceded will soon be surveyed and sold, and immediately afterwards will be occupied by a white population. You will soon be in a state of starvation. You will commit depredations upon the property of our citizens. You will be resisted, punished, perhaps killed. Now, is it not better peaceably to remove to a fine, fertile country, occupied by your own kindred, and where you can raise all the necessaries of life, and where game is yet abundant? The annuities payable to you, and the other stipulations made in your favor, will make your situation comfortable, and will enable you to increase and improve. If, therefore, you had a right to stay where you now are, still every true friend would advise you to remove. But you

have no right to stay, and you must go. I am very desirous that you should go peaceably and voluntarily. You shall be comfortably taken care of and kindly treated on the road, and when you arrive in your new country, provisions will be issued to you for a year, so that you can have ample time to provide for your future support.

"But lest some of your rash young men should forcibly oppose your arrangements for removal, I have ordered a large military force to be sent among you. I have directed the commanding officer, and likewise the agent, your friend, General Thompson, that every reasonable indulgence be held out to you. But I have also directed that one-third of your people, as provided for in the treaty, be removed during the present season. If you listen to the voice of friendship and truth, you will go quietly and voluntarily. But should you listen to the bad birds that are always flying about you, and refuse to remove, I have then directed the commanding officer to remove you by force. This will be done. I pray the Great Spirit, therefore, to incline you to do what is right.

"Your friend, A. JACKSON.

"WASHINGTON, February 16, 1835."

On the 23d of April, when the Indians were assembled after digesting this "good talk," Mr. Thompson presented them the following for their signature :—

"We, the undersigned chiefs and sub-chiefs of the Seminole tribe of Indians, do hereby, for ourselves and for our people, voluntarily acknowledge the validity of the treaty between the United States and the Seminole nation, made and concluded at Payne's Landing, on the Ocklawaha River, on the 9th of May, 1832, and the treaty between the United States and the Seminole nation, made and concluded at Fort Gibson, on the 28th day of March, 1833, by Montford Stokes, H. L. Ellsworth, and

J. F. Schermerhorn, commissioners on the part of the United States, and the delegates of the said nation of Seminole Indians on the part of said nation; and we, the said chiefs and sub-chiefs, do for ourselves and for our people, freely and fully assent to the above-recited treaties in all their provisions and stipulations. Done in Council, at the Seminole Agency, this 23d day of April, 1835."

Eight principal and eight sub-chiefs signed this instrument, but five, one of whom was Micanopy, refused to sign, upon which Mr. Thompson, in one of his fits of passion, struck their names from the list of chiefs. This operation was not approved at Washington, and General Cass wrote Mr. Thompson:—

"I understand that the President deemed this course an incorrect one; and it seems to me obviously liable to strong objections. We do not assume the right of determining who shall be the chiefs in the various Indian tribes; this is a matter of internal policy which must necessarily be left to themselves. And if, when we have a grave matter for adjustment with one of the tribes, we undertake to say it shall be determined by a particular class of individuals, we certainly should render ourselves obnoxious to censure. It appears to me the proper course, upon important questions, is to treat directly with the tribe itself; and if they depute their chiefs, or any other individual to act for them, we must either recognize such authority or abandon the object in view."

Towards the close of 1835 some of the Indians were, notwithstanding the opposition, preparing to remove, having given up their property for assessment, and among these was the good Charley Amathla (or Amathlar). On the 26th of November

a party of Indians headed by Oseola with Abraham, the negro, went to Charley Amathla's and told him that he could have his choice between joining the opposition and death. He chose the latter, and soon afterwards Oseola with a small band of followers, shot and killed him.

A herd of land-grabbers was then at Fort King (on General Clinch's plantation), and at other points ready to pounce upon the land when the old owners chose to give it up and move off. But the death of Amathla changed the aspect of things, and immediate preparations for war began. On the 28th of December, 1835, Thompson, the agent, and Lieutenant Constantine Smith, when walking from the fort (Fort King) toward the sutler's store, a mile distant, were waylaid and killed by Oseola and sixty of his followers. This desperate chief had promised this fate for poor Thompson, whom he greatly disliked, and who at times had treated him with great harshness, once throwing him into prison out of which he finally got by promises never but partly fulfilled.

Thompson was a brave man, and although he was at times severe in dealing with the Indians, and not always just perhaps, he was in the main liked by them, and his intentions towards them were good and honorable, as were his actions with the Government. His murder was the beginning of active hostilities. The savages next murdered the sutler and his three companions, and plundered and burned the store.



There were forty-six soldiers at Fort King at this juncture. General Clinch, a man of great probity of character, as well as a gallant soldier, was in command of military matters in Florida. He at once began to organize for active operations against the Indians, who for some time had been engaged in declared hostilities, some small rencounters having occurred in December. In different parts of the Territory at his disposal were six or seven hundred soldiers. More troops were called for, although the whole fighting force of the savages was then held by some to be less than seven hundred men. At this time the whole Seminole population of Florida, including men, women, children, and negroes, was placed at about three thousand, an estimate found to be between one and two thousand too small. The fighting strength of the negroes, or "Exiles," as Joshua R. Giddings calls them, was not very great, but what they had they freely and faithfully exerted in the common cause. Sometimes, as will be seen, a single negro, as Lewis Pacheco, was worth an army.

At the beginning of this war the Seminole Indians had about two hundred negroes that they claimed as their property, or as being subject to their wills, notwithstanding the fact that they were only nominally slaveholders. In truth, the great difficulty was that most of these Indians were bitterly opposed to African or any kind of slavery, and were really Abolitionists. The negroes believed the war was to a great extent on their account, as it had now also

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become the firm opinion of the Seminoles that the main motive on the part of the old Creek nation to be joined to them was to have the opportunity of re-enslaving these faithful friends. And so far as the neighboring States were concerned, they knew that the struggle now beginning had, to some extent, grown out of the origin and present condition of these people. These and many considerations led them to determine to make their own cause one with that of a handful of poor people to whom they were allied by marriage and other interests.

On the same day on which poor Thompson and his friends were put to death, in another part of Florida was enacted a far more startling tragedy. General Clinch had sent to Fort Brooke, near the mouth of Hillsboro River, on Hillsboro Bay, for a re-enforcement of two companies of regulars stationed at that point, with a view of preparing to attack the Indians then supposed to be in force on the Outhlacoochee (Withlacoochee) River. This small force, led by Major F. L. Dade, consisted of one hundred and ten men, of which one was a servant, and one was Lewis Pacheco, the negro guide and interpreter, who was a slave. Dade had incautiously made known to Lewis the strength of his little detachment. The negro not only wanted his own freedom, but was also entirely devoted to the cause of his race and his Seminole friends. His knowledge of the designs of the Americans was soon in the hands of the Indians. Trusty negroes were sent among them, and they were at once aware of Clinch's

designs. Pacheco also informed them of the route over which he would lead Dade and his little force, and the point at which they must attack and destroy their unsuspecting enemies. The savages were not slow in carrying out Lewis's desires and instructions.

Between nine and ten o'clock on the morning of the 28th, the Indians, led by Miconopy (Micanopy), Jumper, Alligator, and some other chiefs, near the Big Wahoo Swamp, the point designated by Lewis, without Dade having the least suspicion of their presence, suddenly fell upon him, and in the first shot killed half of his men. The bloody work was soon done. Of the whole band but three escaped, and one of these was Pacheco. One of the others died, and one lived to tell the story. Even the two Americans who escaped were only enabled to do so by lying among the dead and feigning death until the Indians had left the spot. Of the Indians, but three were killed and five injured. Alligator, who told the Indian side, mainly both sides, of this affair, said that by order of Jumper he had counted the warriors engaged, and there were only one hundred and eighty in all. Twenty or thirty of these were negroes, among whom was Lewis Pacheco, who took occasion to secure himself by falling behind the troops just before reaching the spot where he supposed the Indians were concealed, and soon after the beginning of the massacre joined his friends. It has usually been maintained that the savages were several hundred strong, and it is quite certain that a

considerable mounted force of them became mere spectators of the massacre.

In the meantime Clinch, joined by a considerable force of volunteers, marched to the Withlacoochee, where, on the 31st of December, he met the Indians, and, although unable to get the greater part of his little army across the river, defeated them. But this was not without the loss of over sixty of his own men; and the necessities of the case required him to withdraw to Fort Drane, in the neighborhood of Fort King.

The Indians now sent out small bands of murderers and plunderers, wherever they discovered a prospect of adding anything to their cause. Georgia and South Carolina were gathering and pushing forward volunteers according to the demand made upon them, and the Administration was making vigorous preparations for short and decisive work.

The extent of the war, and the causes which led to it, were not well understood by the general public. Indeed, little was known about it for years in a great part of the country. It was, perhaps, not the policy of the Administration to expose too fully the true history of the case. An anonymous writer on this war thus speaks of the course of the War Department:—

“The author does not hesitate to transfer a large share of the glory in producing this war in Florida to the officers of the War Department; convinced, as he is, that if their respective duties had been properly discharged, the necessity of bloodshed would have been avoided. If the

President was determined to gratify the craving appetites of a few avaricious speculators, it was his duty to protect the *respectable* citizens of Florida against any injury which might result from his measure; he should have thrown such a force into the territory as to prevent the possibility of a resistance; and neither can he, nor the Secretary of War, stand excused in their plea of ignorance of the true state of affairs in that quarter, for they were constantly advised, not only by their agents, but by their personal friends. And it can not be doubted, that if the Secretary of War, in replying to the call of the House of Representatives, had not *suppressed* many very important letters upon the subject, the public would not be so entirely ignorant of the *true causes of the war*."

After the massacre of Major Dade and his men, General Gaines, who was then at New Orleans, went over with a few hundred men, and marched through the country from Fort Brooke to Fort Drane and back again, and having accomplished nothing returned to New Orleans. General Scott, who had been sent down in January, 1836, to take the conduct of the war, was not very successful, and at once set up the complaint that Gaines's premature expedition had cut no small figure in the failure of his spring campaign. His plans were not well suited to Indian warfare, and especially so in Florida, as was the case in the main with those of his successors. Still, although he was loudly assailed at the time for failure, it was well enough known after the almost hopeless struggle had gone on for seven years, and nearly all the military men of the Nation had been tried with about the same results, that he had

not been much at fault in his Florida operations. No matter how the plan was varied, the result was about the same. General Scott's military discipline and peculiar way of treating the important views and wants of Florida "gentlemen" were not congenial to the climate. He was not a favorite, and the result was a demand for his recall. He was certainly not one of General Jackson's pets, every body knows. Even General Jesup, who was in Georgia pushing the Creek Indians off to the west, had to disgrace himself by writing a letter in June, 1836, to Francis P. Blair, condemning Scott's Florida operations. Of course this letter was designed for the eye of the President. And what did Andrew Jackson do with it? He indorsed upon it:—

"Referred to the Secretary of War, that he forthwith order General Scott to this place, in order that an inquiry may be had into the unaccountable delays in prosecuting the Creek War, and the failure of the campaign in Florida. Let General Jesup assume the command. A. J."

A court of inquiry in Scott's case was ordered, and in the meantime General R. K. Call took temporary charge of affairs in Florida, Jesup not assuming command until early in December. General Scott's defense was clear, full, and satisfactory, and of course the court could do nothing but acquit him of any blame in the conduct of the war. While all this was going on, the Indians planted corn, and were foolish enough to think that the inactivity and apparent powerlessness of the Americans really went to prove their own strength and invulnerability.



General Thomas S. Jesup had been at the head of affairs in Florida barely a month when, in a letter to Adjutant-General Jones, on the 12th of January, 1837, he said: "The campaign will be tedious, but I hope successful in the end. I am not, however, very sanguine; the difficulty is not to fight the enemy, but to find him." On the 4th of February, he again wrote to the Adjutant-General:—

"As an act of justice to all my predecessors in command, I consider it my duty to say, that the difficulties attending military operations in this country can be properly appreciated only by those acquainted with them. I have had advantages which neither of them possessed, in better preparations, and more abundant supplies; and I found it impossible to operate with any kind of success until I had established a line of depots across the country. This is a service which no man would seek with any other view than the mere performance of his duty; distinction or increase of reputation is out of the question."

But some progress had been made. A few chiefs and sub-chiefs had surrendered, and a number of the people had been sent to the west. Some negroes had been returned to slavery, and a few had been sent with their friends to Arkansas. The prospect was, indeed, favorable for a speedy settlement of the Seminole difficulties. So it seemed, at any rate. Unless the Indians could plant corn and vegetables, they would be driven to the utmost extremity to live, and if the expeditions against them at every new post they took should be continued during the summer, they could hardly hope to prolong the struggle to another season.

The spirit of some of the chiefs was much broken, and not a few wavered between their disposition to emigrate and their attachment to the old homes. Old Micanopy, the hereditary head of all the Seminoles, had lost his war spirit. Peace suited his age and inclination much better, and he never would have consented to resistance at the outset, had not Jumper and Oseola held him up and goaded him on. Then, too, he had before him the fate of poor Charley Mathlar (Amathla).

Whatever were the motives of the Indians, they began to talk of peace and emigration, and in March, 1837, some of the chiefs met General Jesup at Fort Dade, on the Withlacoochee River, where a treaty was signed. In this treaty the Indians agreed that hostilities should cease, and not be renewed; that they would all move to the west; that hostages should be held for the fulfillment of their pledge; that they would all gather down south of Hillsboro, near Tampa Bay, to prepare for emigration; that they should all be assembled by the 10th of April, as the General should direct; and that Micanopy was to be one of the hostages and remain with the commander of the army. And General Jesup agreed, in behalf of the United States, that the Seminoles and their allies, who came in to emigrate to the west, should be secure in life and property; and negroes, their *bona fide* property, should also be sent with them, and all property left in Florida should be paid for by the Government; that the United States should pay all expenses of the removal; that

the Indians and negroes should be fed in the encampment at Tampa Bay, and fully supplied with food for a year after removing; that they should be carried to their new homes by Government transports; and that all the advantages of the treaty of Payne's Landing should be held intact by the Indians. This was signed on the 6th of March, 1837, by Jumper and four other chiefs, with the full authority of Micanopy and other chiefs.

The Indians did not come in as fast as was expected of them, but there was no sign of treachery on their part, and in May several hundred of them had gathered at Tampa Bay, where a squadron of vessels was already waiting to carry them forever from Florida. It looked indeed as if the war was at an end. General Jesup announced that it was, and the settlers again began to return to their homes.

Jesup had asked to be relieved and returned to his position as Quartermaster-General of the United States army. But early in June he wrote to the Adjutant-General that everything was changed, that the Indians gathered for transportation to the Indian Territory had all disappeared, Micanopy and all. This unexpected turn in affairs made another campaign, at least, necessary; but this was now out of the question until winter had made it practicable. Nothing could be undertaken in the hot and sickly season. The conduct of the Indians was considered despicable and treacherous in the extreme, and soldiers and citizens (who had again to take to flight) declared for revenge. Citizens pledged themselves

to a war of extermination, and soldiers promised treachery for treachery. This was the light in which the escapade from Tampa Bay was viewed, and as soon as possible Jesup set about preparing to renew the conflict, and there can be no doubt as to the energy with which he tried to overcome the difficulties of the situation, nor can there be any doubt as to his ability and patriotism. But as to the commonly accepted theory of Indian treachery in breaking the treaty of Fort Dade, and as to their rushing again, in new clothes furnished by the Government, into hostilities when every arrangement was ready for transferring them to their new homes, a few words must be written. The Indians and negroes were as loud in their cry of treachery as were the whites, and believed that nothing but slavery or death was left to them.

Considerable stress, more, perhaps, than it deserved, was put upon an essential condition of the Fort Dade treaty, "The Seminoles and their allies, who come in and emigrate west, shall be secure in their lives and property." This term allies, it was claimed, was understood by Abraham, the only negro ("runaway") who was willing to trust himself in the American camp, and the Indians, to apply especially to the runaway or "exile" negroes and their descendants. There is nothing to show that General Jesup and his officers understood it to mean anything else. At all events, it was clear that the negroes were included in the word allies. The negroes and Indians so understood it, and so did General

Jesup. But the Seminoles had other allies. These were a small band of Micosukees (Mickasukies) under Ar-pe-ik, or Sam Jones, an old chief, and Halleck-Tustenuggee; the Spanish Indians, another small band living in the extreme south of Florida, who did not join in the war until the Seminoles were driven back upon them; and a considerable number of Creeks from Georgia, who, at different times, came over to help the Seminoles. The white slaveholding inhabitants of Florida and the neighboring States understood this condition of the treaty to apply to the negroes, and bitterly opposed it. Complaints arose on all hands.

To the Secretary of War went up a petition in hot haste to the effect that the Indians were not required by the terms of the capitulation to make restitution of stolen and other property, that is, negroes, etc., or deliver up those who had taken refuge with them. This address stated that the national dignity would be sacrificed by terminating the war on such conditions, and that it would be a triumph for the Indians. General Jesup was soon staggered by the opposition. Negro seekers rushed in to pounce upon the "property" as the timid and suspicious negroes slowly came into the rendezvous. Jesup seeing the probable disaster to his plans, was compelled to issue an order preventing persons in quest of negroes to pass certain points of his lines. The order said:—

"If persons come forward to urge their claims to negroes, it will evidently prevent the negroes from coming in; and if they do not come in, the commanding General

is decidedly of the opinion that the Indians themselves will be greatly delayed, if not entirely prevented, from compliance with the terms of capitulation."

Some of these slave-hunters who were willing to risk another war, to risk anything, in their determination to prevent the escape of these negroes, made their way, in spite of military orders, to Tampa Bay. To the commandant there Jesup wrote:—

"I have also been informed that Mr. Cooley's business at Tampa Bay is to look after negroes. If that be so, he must be sent away; a trifling circumstance would light up the war again. Any interference with the negroes which would produce alarm on their part would inevitably deprive us of all the advantages we have gained."

But Jesup soon began to yield, as towards the last of March he wrote: "I have some hopes of inducing both Indians and Indian negroes to unite in bringing in the negroes taken from citizens during the war." He was now directed by the Commissioner of Indian Affairs to keep a record of names, ages, etc., of negroes delivered to citizens. Early in April Jesup wrote to Colonel Harvey, that he had made an arrangement with the Indian chiefs to surrender negroes, particularly those taken during the war. In the same month he repeated this fact to Colonel Browne at St. Augustine, and added: "They must and shall give up those taken during the war; at all events they shall not take them out of the country. Further than that I shall not interfere." About the same time the General wrote:—

"The negroes generally have taken the alarm, and but few of them come in; and those who remain out, prevent



the Indians from coming. But for the premature attempts of some citizens of Florida to obtain possession of their slaves, a majority of those taken by the Indians during the war, as well as those who absconded previous to it, would have been secured before this time. More than thirty negroes were in and near my camp, when some of the citizens who had lost negroes, came to demand them. The Indian negroes immediately disappeared."

The strange language used by General Jesup, "taken or captured during the war," must have had a meaning suited to the occasion, as the Indians did not capture or take slaves during the war. The ranks of the Florida "runaways" were somewhat increased during the war, but few of them had been taken by the Indians. The citizens of St. Augustine, in remonstrating with Jesup as to his order preventing them from gathering negroes within his lines anywhere under the capitulation, stated that "the regaining of their slaves constitutes an object of scarcely less moment than that of peace to the country." That was the spirit and light in which the whole war was held. Soon after this, Jesup modified his order so as to let citizens go anywhere to hunt for cattle which doubtlessly belonged to them. And a little later he says to Colonel Harney, "The Indians have agreed to send all slaves, taken from white people during the war, to Fort Mellon and Volusi; and runners are now employed in the interior on that service." He again wrote:—

"If you see Powell again, I wish you to tell him that I intend to send exploring and surveying parties into

every part of the country during the summer, and that I shall send out and take all the negroes who belong to the white people, and he must not allow the Indians or Indian negroes to mix with them. Tell him I am sending to Cuba for bloodhounds to trail them, and I intend to hang every one of them who does not come in."

The Indian negroes were now technically the two hundred slaves held by the Indians, and those belonging to whites were all the others, the *allies* ten or twelve hundred who had been gathering in Florida for two hundred years, and most of whom had been born there; and the army of the United States was now turned to the business of negro-catching.

On the 14th of June, Jesup wrote to Gadsden that he had seized and sent to New Orleans ninety negroes, that he had sent as many, the property of the people, to St. Marks, but that through this negro business all else was lost. All was, indeed, lost. The negroes had spread their alarm among the Indians, eight hundred of whom had collected at Tampa Bay; the Indians believed there was no use to trust the whites further; that the whole matter had been a treacherously devised plan to get possession of the negroes. Between two days they had all taken to flight, firmly convinced that they must fight or be slaves.

The reader may now be able to decide who were the treacherous, and who were responsible for the renewal of the war. The picture is, perhaps, sufficiently clear. A deputation of Indian peace-makers from the West now appeared in Florida with a view of persuading the Seminoles to comply with the

demand for their removal. In the midst of their efforts Oseola and some other leaders were treacherously seized and held as prisoners on the 23d of October, near St. Augustine, where they had gone for the purpose of beginning negotiations. This unexpected event caused the Cherokee peace-makers to abandon their friendly work and return to their far-off homes. Oseola now disappeared from the history of the ignoble contest. He was thrown into prison, and finally giving up all hope of release or escape, pined away, and at last, broken-hearted, died at Fort Moultrie.

The war and the negro-hunting were now renewed with vigor, and in December, General Z. Taylor fought the considerable battle of Okechobee. Jesup was by this time heartily tired of the difficult task before him; and on the 11th of February, 1838, he wrote to the Secretary of War:—

“In regard to the Seminoles, we have committed the error of attempting to remove them when their lands were not required for agricultural purposes; when they were not in the way of the white inhabitants; and when the greater portion of their country was an unexplored wilderness, of the interior of which we were as ignorant as of the interior of China. We exhibit, in our present contest, the first instance, perhaps, of a nation employing an army to explore a country (for we can do little more than explore it), or attempting to remove a band of savages from one unexplored wilderness to another. . . . If I were permitted, and it is with great diffidence that I venture to make the suggestion, I would allow them to remain, and would assign them the country west of ——.”

The reply of Mr. Poinsett to this letter was quite stiff; but Jesup was authorized to make any temporary arrangement he might consider wise with the Indians, and leave General Taylor in charge. Accordingly, in May, 1838, Jesup turned over the Florida War to General Taylor; and, glad of the opportunity, he also gladly disappeared from the troublesome and bootless task. In his report of his operations, he states that from the 4th of September, 1837, to the time he withdrew, nearly twenty-four hundred Indians and negroes, of whom seven hundred were warriors, were taken or surrendered, and about forty were killed.

Five days after General Taylor took command, General Macomb came on from Washington to make some arrangements with the Indians. At Fort King he met Sam Jones's representative, Chitto-Tusteenuggee, and some others, and got them to sign an agreement to remove within a certain territory in sixty days, and become quiet and peaceable. He then returned to Washington under the impression that he had laid the foundation for permanent peace. The citizens again began to return to their homes. But two months had not passed until they were again fleeing, and, as General Taylor had believed would be the case, the war was renewed. The connection of General Taylor with this war, and the part of it under his direction, will be given somewhat in detail in another volume of this work.

The case was now certainly very seriously complicated with the question of slavery and the enslave-

ment of the Florida negroes, if it had not been so from the outset. The authorities at Washington were implicated or involved, the generals of the army were involved, and the courts and civil officers were taking a hand in matters. Attempts were made to stop the negroes in New Orleans on their way to the West, and even those who had reached Fort Gibson were pursued, and efforts made to bring them back into bondage, a bondage few or none of them had ever felt. The Administration revealed as little of these contemptible matters as possible to Congress, and the people at large heard and saw still less of all the troubles and objects of this expensive Seminole War.

General Jesup's conduct of affairs in Florida had, in some respects, been very unfortunate. His course as to the negroes after his treaty of capitulation had not only led to the resumption of the war, but it otherwise involved the Government, and increased the difficulties of his successor in the field. He had agreed with his Creek allies that they should have as their own property such Seminole plunder as fell into their hands. This word *plunder* was meant to embrace negroes, or was subsequently construed to mean that. Even Mr. Van Buren and his Cabinet, to a great extent, submitted to this construction. The slaveholders in Congress had no difficulty in making the term mean everything, or negroes alone. The Creeks sold or conveyed their right to the plunder or negroes captured to white men, and these failing to get possession of them, either on the way to

the West, or out there, a bill was finally passed in Congress, and signed by the President, by which the people had to pay for these negroes, who had never been the slaves of anybody, or, if they had been, this fact could not be proven. That was utterly impossible. The course of General Jesup in Florida it would be difficult to defend fully to-day; and the course of Mr. Van Buren's Administration on the Florida War would be still more difficult of defense. In 1838 and 1839, when fifteen hundred of the Seminole Indians and their negro allies had been removed to the west, no reservation was ready for them. They were now, indeed, "exiles," without home and country, and subject to the peculiar policy and perfidy of the pretentious white man. It had been declared that they should become a part of the Creek nation; but this hard fate they deplored above all things. They did not consider themselves a part of the Creek nation, and wars and different interests had made them bitter enemies. Too well they knew, also, that union with the Creeks meant the re-enslavement of the four or five hundred negroes then with them, as well as those who should come after.

Mr. Van Buren heeded not the cry that came up from these forlorn people waiting in the wilderness for the great Nation to deal justly with them. They could not unite with the Creeks. The greed for land which General Jesup said was not then needed by white men, and the wants of slavery, had driven them from a land to which they had become attached



as the mild and fruitful birthplace of themselves and generations of those before them, a land in which they had grown from a few wanderers into a peculiar nation, unlike any other in the world, and which was especially adapted to enable them, with all their unwarlike proportions, to wear out the patience, skill, and resources of the great Government whose pride it should have been to deal honorably and well with them. Seeing the wretched condition of these Western exiles, the Cherokees, more just and compassionate than the Cabinet at Washington, gave them a temporary home with them, and thus for the time they were settled, and entered upon their new life.

Mr. Van Buren desired to be re-elected, and however distasteful this slave-hunting war in Florida was to him, he could not stand in the way of Southern politicians; and yet with all his disposition to be on good terms at the South, he was never fully trusted in that quarter, and this very disreputable war, the secret history of which it seemed to be his interest to conceal, aided in his defeat in the Convention of 1844, as it had done in his defeat at the polls in 1840.

General Scott had been suspected and assailed because he was General Scott, and because he would not carry on the war at the discretion and direction of Florida "gentlemen," militia officers, and what not. General Taylor pursued mainly the same course. Although notified by the War Department as to his duties in reference to the negroes, he

declined to take part in any way in the slavery feature of the war, and neither his stubbornness nor its cause could the Department afford to make known to the country. Indians and negroes taken as prisoners of war he treated alike, and held steadily to the purpose in which he was willing to engage, of removing all of them to the West. Still, perhaps, his conduct was not without a flaw, however good were his intentions. Finally, worn out as those before him had been, with what seemed to be an endless struggle, on the 6th of May, 1840, Taylor was succeeded by General W. R. Armistead, who pursued the same general course, and accomplished little. The Indians were daring in their attacks on the white settlers. The Administration made every possible effort to aid and protect the distressed. Those driven from their homes were not only fed at Government expense, but they and their servants were placed in the employ of the Government, wherever practicable, and thus their desire to make the war profitable to themselves was favored as far as possible.

## CHAPTER XXIII.

CLOSE OF THE SEMINOLE WAR—GENERAL WORTH AND  
PRESIDENT TYLER—OSEOLA—FATE OF THE EXILES.

ON the last day of May, 1841, by order from Washington, General W. J. Worth, then colonel of the Eighth Regiment, on duty in Florida, took command in this troublesome contest. In some important respects President Tyler now departed from the steps of his predecessors. It had been urged during the Presidential campaign that General Harrison would correct the crooked affairs in Florida, as he would do in all other directions; yet it did not appear clear as to the way in which he would do this in Florida, since the real state of the case there was known to very few persons. What General Harrison would have done, President Tyler was under obligations to carry out. Something satisfactory was to be done. So the public demanded and expected.

One of the first communications to General Worth under the new Administration contained these words from the Adjutant-General:—

“I am directed by the Secretary of War to advise you of the earnest desire of the Department to terminate as speedily as possible the protracted hostilities in Florida;

and to cause the most perfect protection and security to be given to the frontiers, and to those citizens who may be disposed to penetrate the country for lawful purposes of trade or settlement. . . . If you should deem it indispensable for the protection of the frontier, the President directs that you make a requisition upon the Governor of Florida for a militia force. . . . As the commander of Florida, you will exercise a sound discretion as to the use of the means placed at your disposal; and while these should be employed with the greatest efficiency, the Secretary of War directs that you will, consistently with the primary object in view, diminish, in a spirit of sound economy, all unnecessary drains upon the Treasury, by discharging all persons employed in a civil capacity, whose services you shall not deem indispensable to the duties of your command, and by regulating and reducing, as far as practicable, all other expenses, in accordance with the just expectations of the Government and the country."

Of the five thousand troops then in the field in Florida, one-half of them were sick, yet Worth made arrangement for a summer campaign, which was not likely to be more disastrous to the troops than inactivity in a sickly climate. One of his first acts was to carry out fully the last paragraph of his letter of instructions from the War Department, before mentioned. Mr. Poinsett, the former Secretary, had said, among his last efforts to please the people of Florida, in his instructions to General Armistead: "The Department entertains the well-grounded hope that you will be able to bring the war to a close upon the terms required by the treaty of Payne's Landing, and by the interests and feelings of the

people of Florida." This remarkable piece of instruction was not repeated to General Worth, nor did he proceed on the principle, especially the latter part of it, but he at once set about doing the very opposite. He dismissed all the useless employés, stopped the pay for encampment privileges, and allowed no interference in his affairs by the authorities of the Territory, disbanded Florida troops, and sent off regulars for whom he had no use. All negroes and Indians he captured, or that surrendered, he called and treated alike as Seminoles; made no distinction among them, and sent them off as fast as possible to the Indian country. Negro-hunting stopped. If claims were made on him, he required proof of ownership to be made, which he sent to Washington; but the negroes he sent to the West. The Indians and negroes began to feel confidence in him, and as their case became more desperate many of them came in, and submitted to be sent away.

About this time an event took place which greatly strengthened the faith of the Seminoles in General Worth. One of the last orders given by Armistead was for the treacherous arrest of Wild Cat, the most important chief now left in Florida. Wild Cat had been visiting the camps in a friendly manner, and it was hoped that through him the removal of most of the Indians could be effected. Colonel Childs, in command at Fort Pearce, to whom Armistead had given the order for Wild Cat's arrest, secured him, and immediately sent him off to New Orleans. Worth hearing of this affair sent after him and brought

him back, and through him induced the greater part of the Seminoles to surrender; and many were captured without conflict of any kind. While Worth pushed the military operations with great activity, he also acted honorably with the Indians and negroes and neglected no opportunity to conciliate them and gain them over to the necessity of emigrating as now the best possible thing for them. His policy was rapidly bringing the war to a close. But it was also bringing few slaves to the slaveholders, and had almost wholly taken away their other means of satisfying their "interests and feelings," and on this account he soon found himself in open conflict with the Governors of Florida and Georgia. Every effort was made by the authorities of these States to induce the War Department to take into the service militia of those States, on the ground that the regular army was neither able nor willing to protect the people and the frontiers. The delegate in Congress from Florida demanded of the Secretary of War that a militia force entirely independent of General Worth should be organized. The disinterested wisdom of such a recommendation could excite nothing but surprise and ridicule in the reader at this day. Secretary Spencer refused to comply with this foolish, if not unpatriotic and evil purpose. The second as well as the first Cabinet of Mr. Tyler saw in the voluminous representations and demands from these States a design to turn the war to the personal advantage of the citizens. The end of this ill-founded and defenseless war was near at hand.



Charles J. McDonald, Governor of Georgia, wrote to General Worth in September, 1841 :—

“ But be the cause what it may, I can not consent to permit the people of this State to be exposed to the depredations of the Indians, and have ordered out two companies of mounted men for their protection. I must ask you to supply them with the necessary forage and subsistence, as long as it is necessary to retain them in service.”

This General Worth declined to do, merely notifying the Governor that he would lay the case before the War Department. McDonald, during the same month, made a demand on Worth to muster in his State militia and provide for their pay.

In the spring of 1842, McDonald wrote to Secretary Spencer that he had taken the defense of Georgia into his own hands, and only asked the regular troops to be removed from the territory of his State, that he might replace them with troops that could be relied upon. The troops were about this time removed under Worth's plan of contracting his lines and closing in upon the Indians, but of this performance the Governor was not aware.

It may be a proper display of charity to suppose that Governor McDonald had really suffered himself to be imposed upon as to the stories of the dangers of his border. The fact is, at all events, that at the very time of his representations, the officers in charge of companies of dragoons and others belonging to the regular service, stationed in Georgia on the border, were asking to be removed, as all need of their presence had passed. Most of the out-

cry and extravagant and incessant demand upon the General and the Administration was utter fabrication, pretense to throw the country into expense for the benefit of citizens and the interest of slavery. Worth pursued his plan and Mr. Tyler supported him in it. Expenses were everywhere cut down; regulars not needed were sent out of Florida; the Indians were pressed on all hands, and their numbers were rapidly diminished. In this condition of affairs Worth represented to the War Department that general hostilities might shortly be suspended, and reliance placed upon "moral" measures for the removal of the rest of the Indians, or their location in the extreme southern part of the Territory. This view was not then shared by President Tyler, and the active course formerly pursued by Worth was continued. On the 10th of May, 1842, however, having become thoroughly convinced of the correctness of General Worth's suggestions, the President sent his message to Congress to that effect.

Worth was then authorized to complete the work as far as possible, and close the war on the plan he had pursued, making a temporary arrangement with the Indians still remaining in the southern part of the Territory. And at last, on the 14th of August, 1843, from Cedar Keys, then his head-quarters, Worth issued his Order Number 28, designating the territory to be occupied by the remaining Indians, only about three hundred, and announcing the end of the war. He then went to Washington, where President Tyler delivered him a commission as

Brevet Brigadier-General in the regular army, conferred by the Senate for his honorable and meritorious services in Florida. The military force in Florida was at once reduced to the regular establishment, and of the three hundred Indians left in the now peaceful Territory, but ninety-five of them were men. The great multiformed Opposition or Whig party, which had expected a reform in the conduct of Florida affairs, had no need or right to feel disappointed in Mr. Tyler.

Fortunately, perhaps, for him, when beginning his Administration, the most competent, or, at least, the most suitable officer in the army for that service was entering upon his trial at the head of affairs. Worth demonstrated his general ability and splendid soldierly qualities on a wider field at no distant day. He also had the honor of returning to Florida, and finally directing the winding up of affairs connected with the long expensive war, as commander of the military district. Mr. Tyler and his Cabinet had mainly resisted the unreasonable clamor from Georgia and Florida as to the mode of conducting affairs under Worth; had greatly curtailed the expenses of the war; had relieved the suffering soldiers not needed in a dangerous service; had approved and supported mild and honorable means in dealing with the Indians; and had thus closed a disgraceful conflict of seven years with a handful of savages, which they had had no part in originating.

In money this war had cost over twenty-five millions of dollars, and the lives of over fifteen hun-

dred soldiers, in actually killed by the Indians, and death by wounds or sickness in Florida. And from first to last, over twenty thousand soldiers had actually been called out and used in this war. It was even claimed that the war cost forty millions of dollars. Considering the great loss of life, and the unpleasant political features of the war, it can never be regarded as a source of honor to this country.

Mr. Benton and others attempted to defend the course pursued by General Jackson and Mr. Van Buren in the Seminole War, but it was really not susceptible of defense except on the one ground of savage barbarity. Mr. Van Buren had, however, an apology which did not attach to General Jackson. He had inherited the war with all its evils. And then, he was in the hands of his party, and could not help himself. At all events, this is the construction which weak political morals have always set out in the way of apology for the conduct of party leaders. This last Seminole war opened Florida to general settlement, and a considerable degree of activity and prosperity, and broke up forever this old retreat for runaway slaves, the fruitful and evil source of all this trouble. Over fifty of the negroes were killed at this time, and three or four hundred had been destroyed in one way and another during the war of 1812, and General Jackson's subsequent furious raids upon them. About five hundred of them were re-enslaved, although very few under the Administration of President Tyler; between one and two hundred became engrafted with their Indian

friends, and three hundred made their way, fought their way, to Mexico, where some of them and their descendants yet live. Before fleeing to Mexico, these people applied to President Polk and his successor for protection, but they received none. In 1850, so many as seventy-five of those who reached the Indian Territory were seized and sold into slavery by the Creek Indians and the white scoundrels who backed them. When it was found by persistent slave-traders that the Government could do nothing in returning these people, and was utterly unable or unwilling to do anything with them, they offered the Creeks a hundred dollars a head for all of them they could capture and deliver up. Thus pressed, and seeing no hope for themselves in the United States, they at last decided to seek a home in Mexico. Wild Cat and a few other Seminoles adhered to them, and under their protection, after several desperate encounters with their Creek enemies, they reached Mexico. Two of these negroes, Abraham and Louis Pacheco, deserve at least a brief notice here.

Abraham was a native of Florida, and always had been free, although he was in the service of old Micanopy. His parents had been slaves in Georgia, and were among the early refugees under Spanish protection. He became an oracle in his own race and among the Indians, no chief having at times so great influence as Abraham. In the treaty of Payne's Landing, he was the interpreter, and caused to be inserted the features most favorable to the

Indians, to whom he was devoted. He accompanied the chiefs to the West to explore their future home, and favored the additional treaty signed at Fort Gibson. Although he believed that immediate emigration would be the best course for the Indians, and exerted himself for a time to induce them to go, when the war came on he fought bravely, but more humanely than his savage friends. When Oseola was first in the act of shooting Charley Amathla, his hand turned aside the weapon; and there is nowhere any greatly damaging, reliable record left of his connection with the long war of expulsion and re-enslavement. He it was who had the negro refugees included as allies in the capitulation of Fort Dade, and no one knew better than he why that term was put in the treaty and to whom it applied. In the West he again became the leader of his people, and was himself successful in escaping the clutches of the slave-hunter.

Louis was the slave of Antonio Pacheco, a Spaniard of southern Florida, at the beginning of the war, and his first appearance, as has been shown, was in treacherously leading poor Dade and his men to slaughter at the Great Wahoo Swamp. Louis was the best educated negro in America, perhaps, at that day, and Joshua R. Giddings, in his "Exiles of Florida," says that in a point of language no Congressman was his equal. Louis spoke three or four languages. He proved himself a fighter and wise counselor. He was captured and sent to the West by General Jesup. Mr. Giddings says Louis was



the most romantic character connected with the second Florida War. But why he was so, does not so clearly appear. He escaped slavery in an artful manner, and his first act was one of almost unparalleled treachery, which led to the murder of one hundred and six white men. He was faithful to his race and their friends, but that was a common trait. His languages and reading and writing did not make him romantic. Hundreds of white men have had any amount of Greek and Latin, and even French, Spanish, and Italian, and, in addition to having no romance in them, have been intolerable fools. His being a scholar and at the same time a slave may furnish some foundation for sentimentality, if that is a thing worth having.

The Indians who figured most prominently or deservedly in this war were Micanopy (Miconopy), Jumper, Arpi-ucki (Sam Jones), Alligator, Wild Cat (Caochoochee), Asseola (Osceola, Oseola, or Powell), Halleck Tustenuggee, and Thlocklo Tustenuggee (Tiger Tail). Most of these were young men, and some of them did not come to the head of affairs until the last years of the war. Micanopy was the head of the Seminole nation, a fat, lazy old fellow, who never would have begun the war if he had not been urged or whipped into it by Jumper, Oseola, and other young hot-heads, who held up to him the fate of Charley Amathla (Emathlar). He was in the way of the more active spirits, and was glad enough to be among the earlier captures, who were sent to the West.

Jumper (Otee-Emathlar) was an intelligent and warlike Indian. He was a great egotist, and was as fond of hearing himself talk as many other noted egotists and more eminent men. Jumper was for a time the most important man in the councils of the Seminoles.

Sam Jones was older than Micanopy, and was the head of the band of Mickasukees. He was an enemy of the whites, was an unprincipled and desperate man, and held out till among the last.

Alligator was, perhaps, the most shrewd and skillful of the Seminole leaders at the beginning of this war. He spoke English well, and his apparent friendship for the whites gave him superior opportunities for advancing the interests of his people.

Coacoochee (Wild Cat), Halleck Tustenuggee, and Thlocklo Tustenuggee were the most determined and desperate of the war-chiefs, but did not arise to importance until the last years of the struggle. Wild Cat was the son of King Philip, who was captured in 1837, and, while on his way to the West, died. King Philip was opposed to the war, and was also opposed to emigration. Wild Cat was treacherously seized and thrown into prison at St. Augustine, while on a visit to his father. He effected his escape in a wonderful manner, and entered with great zeal into the war. He took the place of his father, and displayed more ability as a soldier and commander than any of his nation, although he had not the ability and

force of Pontiac, Tecumseh, Black Hawk, and some other northern chiefs. His band was about two hundred strong, exclusive of negroes under its protection.

Wild Cat commanded in the attack on Fort Mellon, and was in the battle of Okechobee, and other rencounters; and had a strong passion for dangerous and desperate warfare. He was tall and exceedingly active, with inexhaustible powers of endurance, had agreeable manners, and a free and persuasive tongue, which he turned to good purpose in pleading the cause of his people, or in entertaining them in times of peace from the strange wild legends with which his fine memory was stored. He believed in his accountability to the Great Spirit, and in some kind of system of rewards and punishments. Like many great and small theologians, he believed the punishments often consisted in the death of those to whom he was attached, and in various discouraging strokes of bad luck; and, like most of them, he was unable to see that evils or sins become constituent parts of life, only to be lived out or made permanent by choice, even without and against the pleasure of the Great Spirit.

About the time of the engagement at Fort Mellon his daughter, a young girl, fell into the hands of General Worth. And by this means Worth induced him to come in and talk of peace and emigration. He met his child with both the ordinary weakness and the genuine affection of the

white parent, and then, addressing himself to General Worth, said:—

“The whites dealt unjustly by me. I came to them, when they deceived me. I loved the land I was upon; my body is made of its sands. The Great Spirit gave me legs to walk over it; eyes to see it; hands to aid myself; a head with which to think. The sun, which shines warm and bright, brings forth our crops; and the moon brings back the spirits of our warriors, our fathers, our wives, and children. The white man comes; he grows pale and sickly; why can we not live in peace? They steal our horses and cattle, cheat us and take our lands. They may shoot us—may chain our hands and feet; but the red man’s heart will be free. I have come to you in peace, and have taken you all by the hand. I will sleep in your camp, though your soldiers stand around me thick as pine-trees. I am done; when we know each other better, I will say more.”

Not long after this he fell into the hands of Colonel Childs at Fort Pearce. Through him finally his entire band came in, and were carried to the West. Before leaving his native land, he succeeded in partially taming the spirit of Tiger Tail, and laid the way for his final surrender. As this remarkable man stood among his weeping people on the vessel at Tampa Bay, which was to carry them all to an unknown land, he said to General Worth:—

“I am looking at the last pine-tree of my native land. I am about to leave Florida forever; and I can say that. I have never done any thing to disgrace the land of my birth. It was my home. I loved it as I loved my wife and child. To part from it, is like separating from my

own kindred. But I have thrown away the rifle; I have shaken hands with the white man, and I look to him for protection."

These are said to have been the sentiments of Wild Cat, and will not compare unfavorably with the noblest displays of patriotism in wiser and more refined states of civilization. From Fort Gibson, Wild Cat followed the fortune of the three hundred African exiles and a few of his own race west of the Rio Grande, where his warlike spirit found congenial employment as a Comanche leader.

Halleck Tustenugge was a Micosukee, and was one of the most fierce and bloody of all the Florida Indians. After many conflicts with our troops, he was at last, in April, 1842, induced to come in and talk with General Worth. In reply to Worth's manly and feeling words this fierce chief said:—

"I know there are but few of us left—we are almost alone. Large trees have grown up around me; they have decayed and fallen. A sapling may grow up. As it grows, the root strikes still deeper in the ground; as it increases to a large tree, the top may bend, even break in the wind; but after awhile the roots will rot; it stands alone and must fall. The white people are coming in all around us. I know it is difficult for the white and red man to live together; we have bad men among us, as you have; they will do mischief. I am now the head man of all the Indians out. Octiarche I can bring in, and can quiet the whole country. My people are wild, and start at the cracking of a bush; they live in the swamps, and will always live there as long as your troops pursue them. I want the word of peace sent to them when I can get them all around me, and talk to them like men. I do

not say we will not go to the new country ; when we come together we shall find our friends and relatives gone ; our fields taken up, planted by the white men. Give me time to get these people together, when they can listen to your talk and mine ; when, I have no doubt, there are many who will say, we have no place to live, no fields to plant, no friends and relatives to talk with, our wives and children are gone, let us go with them. If I send my word now to come in, and go to Arkansas, they will laugh at me ; say it is my scheme to make money ; but if I tell them there is peace, they will come here and listen to my talk, to your words, and the words of our friends from the new country. I will send runners to Sam Jones and Octiarche ; I know they will come when I tell them, and join us in making peace, which no red man shall break. I have said before, there should be peace, but the bad Indians broke it ; now they are few ; I am the head of the whole ; they will do as I tell them. Let the road be clear. The sun to-day is bright and clear, and what I tell you is from my heart. I have given you my hand, and now my heart, in friendship, and what I have said shall be done."

This desperate chief finally saw the greater part of his band gathered around him ; and with them he was carried to the West.

Tiger Tail was chief of the Tallahasseees, and although his reputation was poor he had some ability as a leader. He had been much attached to the whites, and more to their whisky. He was among the last to emigrate, and deeply did he deplore the sad fate which drove him from his old haunts. He died soon after reaching Fort Gibson, with these words on his tongue : "I see the sun for the last time." Better "last words" were these than have



been uttered by many of the world's so-called great men. After Tiger Tail went Octiarche, a Creek, who had united his fortunes with the Seminoles, a man of commanding and noble person, and possessed of many really interesting traits.

At the head of the few Indians remaining in Florida was placed Billy Bowlegs, a very fit person. Billy had royal blood in him. Besides being directly descended from Micanopy, he was the nephew of Old Bowlegs (Boleck) and King Paine, both somewhat noted sons of Seacoffee himself.

There still remains a chief whom I have purposely left to the last, not because he was the last, but because he was in some respects the first, and because he was made, in the fiction and poetry of the times, to bear more than his share of the glory of his own race and the sympathy of the white. This was Oseola, who before this last Seminole war was not a chief. This daring half-breed Creek was born in 1804 on the Chattahoochee River in Georgia. His mother was a Red Stick Creek, and his father was William Powell, an English trader. Powell spent the greater part of his life among the Indians, and although he married one of them he never appeared to be of much consequence in their affairs. In 1808 he separated from his wife, taking with him his two daughters, and she with their son, Oseola, settled in the neighborhood of Okefenoke Swamp, in Florida. She was the daughter of a chief. But this did not give her son a title to hereditary leadership. His qualities made him a leader.

In the early negotiations leading to the war he exhibited such superior ability, daring, and devotion to the cause of his people that he was soon at the head of a band as a war chief, and was, in fact, at the outset and for the first two years, the controlling spirit in the whole conflict. His attachments were mainly for his mother's people.\* In truth he had little respect for the white race, and usually treated the whites with great indifference or coldness. But he discarded the superstitions of the Indians, had no respect for prophets' tricks or legendary incantations.

His independence in dealing with the whites, as well as his expressed contempt for the common ways of his people, made in his favor. A certain dash belonged to his acts and sentiments, with an outspoken, adventurous, agreeable manner which at once drew around him young men of spirit, and constituted him a force behind old men whose age or habits rendered them more indifferent to the demands of the time and their positions. Oseola was a genuine "F. F. V.," metaphorically speaking at least. He was actually proud of his ancestry, especially on his mother's side; was an Abolitionist and hated slave-holders like death; stood before his nation in his advanced political views; was a radical, a sort of pushing, insinuating, agreeable radical, in everything; favored maintaining every right claimed by his people at any hazard; was void of policy; took a position and advocated it boldly, with little regard to consequences; gave confidence to others

by his unhesitating confidence in himself; and more than any other man gave shape and spirit to the resistance at the outset.

He had little faith in the pluck of old Micanopy, and took occasion to put himself at the old chief's side in the treaty councils and all the initiatory movements, and when the old man's zeal gave way or wavered he rallied him and urged him to firmness. He was not a favorite of Wiley Thompson, the agent, and was usually in some trouble with him. One of his first quarrels with Mr. Thompson was about whisky. What savage was there ever who did not like whisky and who would not fight for it? But in his taste for whisky has not the Indian always been more an object of pity than of disgust and ridicule? A very large and disreputable per cent of his white brethren are not less decided in the same low taste and passion, while they are perhaps far less deserving of pity. He came by his passion for strong drink ignorantly and, to a great extent, innocently; but will his white teachers plead these things for themselves?

In one of Oseola's last visits to the agent he became so abusive of the Government and defiant in his attitude that Thompson saw fit to place him under arrest. Although promises he never designed fulfilling brought his release, his imprisonment and other ill-treatment at the hand of the agent not only deepened his hatred toward the whites, but also led him to take the agent's life, and to take himself the responsibility of precipitating a tedious and ruinous

war. There is a story, which is not, however, well authenticated, that while on a visit to Fort King with his wife, who, although the daughter of a chief, had a negro for her mother, when the fact became known to the ever present slave-hunter, she was seized to be carried into slavery. The seizure of the wife of Oseola with this intent was in itself cause sufficient to drive the whole Seminole nation to war. But Che-Cho-ter, or Morning Dew, a Creek woman, was the wife of this daring chief, and if there is any thing in a name she must have been a blessing to him. At all events they had four children; and he was faithful to her and had no other wife, although polygamy was practiced by the Seminoles. Even the desperate savage, Halleck Tustenuggee, had two wives, who seemed to live together in a kind of greasy and filthy harmony, like two pigs.

Oseola acted as a respectable white civilized man in his conduct toward his wife and children, and although murder was a matter of not the slightest consequence to him when it would subserve his purposes, and in the main features of his nature he was simply a savage, like Tecumseh and some other Indian chiefs, his bloodthirstiness stopped with men; it did not extend to women and children. In September, 1835, he led the band who put to death Charley Amathla, who was preparing to emigrate. It is said that Oseola would not allow his followers to appropriate some specie found on the person of Amathla, which had been received as pay for his cattle from

the agent, but taking it in his hand threw it to the four winds, saying it was the price of his nation's honor and blood. The news of the murder of Amathla induced General Clinch to move from Fort King with his available force to begin the war.

Long before this, Oseola and others had determined to attack Fort King, if for nothing else than to kill Thompson, the agent. When Clinch moved his troops, and his designs were known, and Pacheco's information had enabled the Indians to decide upon the slaughter of Dade's command, Oseola determined to dispose of Thompson and the agency, and then return in time to join the attack at Wahoo, and meet Clinch on the Withlacoochee. The result has been made known.

The night after the massacre (the night of the 28th of December), Oseola's band had a drunken carnival at Wahoo Swamp; and from this time until the end of his short career he was exceedingly active, and yet it is singular that he was one of the first leaders who began to talk of peace, and temporize in dealing with the United States military officers. Whether this, on his part, was for the sake of obtaining supplies, and otherwise favoring his own cause, or was the real turn in his disposition, does not so clearly appear. Notwithstanding his reputation for frankness and want of diplomatic tricking, his insincerity may well have been doubted. After the capitulation at Fort Dade, it is said that he expressed himself as satisfied with what had been done, and wanted peace. That was, at any rate, a

true turning point in the war with many of the Seminole leaders, and how it failed to result beneficially has been exhibited.

During the suspension of hostilities, Oseola visited Fort Mellon with his family, and soon afterwards General Jesup gave an order for his arrest and detention at the first opportunity. Oseola was at the time somewhat influenced by the appeals of John Ross and other Cherokees to him and his people, and was thus led to place more reliance on the honor of the whites than he really believed they deserved. Treachery was a part of the game General Jesup was playing. Old King Philip had been enticed into captivity; and Wild Cat, his son, had been induced to visit him, and was himself treacherously thrown into prison. Jos. M. Hernandez, an officer of the Floridia militia at St. Augustine, sent presents to Osceola, and finally conveyed him word that he and General Jesup would be glad to see him at St. Augustine or Fort Peyton, near by. Into this trap Oseola fell. On the 22d of October, 1837, with many of his followers, he appeared in ceremonious Indian style at Fort Peyton, and on the very next day Hernandez, after failing to receive him as he had every reason to believe he would be received, demanded of him, by order of General Jesup, the surrender of the negroes. He had not recovered from his surprise and consternation by reason of this demand, when he was suddenly ordered under arrest, and sent to prison in St. Augustine. His surprise and rage had rendered the



powerful chief helpless at the moment of his capture. The sudden and principal demand made upon him for slaves, as if the object of the war was slavery, when he was the avowed and bitter hater of slavery, even rendered him speechless.

Perhaps the murderer of Amathla and General Thompson, and the inaugurator of a war of murders on a large scale, had little right or reason to expect better or other treatment. Notwithstanding the manner of his arrest, Oseola made some attempts to induce his people to conform to the demand of the Government. But he was considered too important to be set at liberty. After a time he was removed from Castle St. Marco, at St. Augustine, and confined at Fort Moultrie, in Charleston Harbor. His misfortune preyed upon his mind. At last, denied the freedom he esteemed above every other blessing, his heart broke, and, after a short illness, he died at the age of thirty-three. Oseola was a bold and adventurous Indian, but not a great soldier. In his own nation he was not equal to Arpeika, or to Wild Cat, or Halleck Tustenuggee, nor to some of the leaders of the previous generation, as old Boleck (Bowlegs), and the artful and politic Red Stick, Hillis Hajo. Nor did he, as a commander, compare with Red Eagle (Weathersford), the prince of all the Creeks. But in pluck and audacity, few American Indians have been his superior; and yet, with all his openness and daring, he lacked many of the traits of a great leader, which he never was and never could have been.

In a congress of Indians he would have been a leader, but a leader of faction and foment, without the first essential of a politician, oratory. In a long war with an able and wealthy nation and a well-organized army, he would have been merely a John Morgan, a Stuart, a Kilpatrick, or a Grierson. His moral traits were not up to those of Wild Cat even, and in few admirable features did he reach many Indians whose names have been made less conspicuous in American literature.

## CHAPTER XXIV.

THE WHITE HOUSE—THE REPUBLICAN COURT—AMOS  
KENDALL—MR. VAN BUREN AT KINDERHOOK—FAIL-  
URE IN 1844—JACKSON CAUGHT BY A TRICK—  
RACE IN 1848—THE FREE-SOILER.

WHILE Martin Van Buren was a school-boy at Kinderhook, he became attached to a young girl of his own age, and through the eight or ten years of his long law apprenticeship and starting in life she, no doubt, added another motive to his industry and determination; and, although her life was short he remained faithful to her memory, and never cared to place another where she had stood by his side. This young girl was Hannah Goes (Hoes), a relative of his mother, and, like himself, wholly of Dutch descent. She was born at Kinderhook in 1782. When Mr. Van Buren had fairly started in his profession, they were married, in the winter of 1806.

While residing at Hudson, they "lost" one of their children, and at Albany, on the 5th of February, 1819, Mrs. Van Buren "died," after accompanying her husband only twelve years on his road to an eminent position in the history of his country. Mrs. Van Buren had not yet reached the prime of

womanhood when she fell a victim of "consumption." Where is the spot on this great globe not reached by this agent of death, which seems to stalk about yet as a diabolical sentient entity? It steals into strong as well as weak races. When it takes its seat all efforts at expulsion are usually in vain. It comes in with rosy health, and in the unlovely mystery of death it goes from the happiest or darkest home, leaving its taint behind. The whole earth is dotted with the graves of the consumptive. On the map of the world its black flag hangs out at every city nestling in the convenient valleys. What can ever arrest the progress of this friend of early and late decay? Shall man, the subduer of the earth, be subject always to this master? Is not a panacea slowly forming in virtuous lives, wisely, systematically, exactly, and purely lived? Shall not Hygeia be the great patron of the coming ages? No good is beyond hope in a world of Providence, of law and order.

Mrs. Van Buren was a bright little Dutch woman, but extremely retiring and quiet in her tendencies. She had not, perhaps, education and accomplishments to shine in society; and if that were the chief end of life, she was not fortunate. Yet her good and admirable traits would have enabled her to compare well with many others, perhaps, in the group of "Ladies of the White House," women "good luck" has made famous. This little woman, who could talk Dutch with her distinguished husband, was, in most respects, peculiarly suited to be his com-

panion. Her careful and quiet nature had in it many gratifying and compensatory qualities, and it is hardly in the bounds of conjecture that Mr. Van Buren ever wished for a more brilliant person to share his honors. He was not himself at all brilliant in a social way, nor did he ever seem to put great stress upon the intrinsic value of what is called society. His married life was a happy one. What has often appeared to be incongruous in the marriages of so-called great men is, no doubt, largely in the mere seeming. In real, genuine life Nature's system of counterparts and compensations works, without explanation, to shape all things well. The little blind deity, if let alone, will make few mistakes. Evil and error may circumvent him. But in the true philosophy of love and life it is not a wonder that two good eyes, the outlook of a patient, loving soul, should choose the blind and helpless, nor that beauty and physical perfection should respond to outward deformity and misfortune. Who shall say, with certainty, who does not read the heart and the inner wants and capabilities of life, that even untoward seemings are not for the best? Heaven never deserts the earth and man.

But what more of Mrs. Van Buren? It has been said that this little woman had an uncommonly mild and engaging temper, and an unaffected simplicity of manner that endeared her to her friends; and in her latter days especially, as she lost, little by little, her grasp of earthly things, she exhibited more of the inward beauty from which these winsome traits came.

Although Mr. Van Buren possessed some shining qualities, yet at home she, perhaps, lost nothing by his side. And while he was not the man to make common display of his sorrows or losses, his whole life before and after marriage, and after his wife's early death, goes to show the esteem in which he held her, and the light in which he placed her loss.

She left four sons, Abraham, John, Martin, and Smith Thompson. Abraham graduated at West Point, and was several years connected with the army. He served for a time on the staff of the general commanding in Florida during his father's Presidency, and when in Washington City acted as the President's private secretary. In 1838, he was married to Miss Angelica Singleton, who became the "Mistress of the White House" for the remainder of Mr. Van Buren's term. She was the daughter of Richard Singleton, of South Carolina, her native State. She attended school in Philadelphia, and there, and while visiting in Washington, became acquainted with the Van Burens, and was always a favorite of the President. In the spring and summer of 1839, she and her husband made a trip to Europe. She was well educated, as the word goes, and possessed pleasing manners. She was not long in making herself agreeable to people of fashion at Washington. For several years after the Presidency of Mr. Van Buren, she and her husband lived at Kinderhook; but in 1848 they went to reside in New York City.

Notwithstanding the fact that Mr. Van Buren



passed half of his Administration without a mistress at the head of affairs in the Presidential mansion, and usually remained in it quite close and retired in the summers, the winters throughout his term were socially more brilliant than they had been under General Jackson. At this time Mrs. Dolly Payne Madison was one of the distinguished characters in Washington society. She had been celebrated as the most popular "Lady of the White House," and now she was more popular than John Quincy Adams, and on New-Year's day always received at least one more call than he did. Mr. Adams himself made it a point of duty to leave his own house long enough on that day to call on Mrs. Madison. Mrs. Thomas Hart Benton and her daughters were now conspicuous in Washington society, as were Mrs. Adams, the wives of Generals Scott, Macomb, and Gaines, and the wives and daughters of the members of the Cabinet, and of several foreign ministers.

There were also many distinguished men in Congress at this time, who were equal to any social emergency. Clay, Webster, and Calhoun were in the Senate, in the heyday of their glory. They were to society what they were in politics. Colonel Benton was really, perhaps, at the head of that branch of the Democracy which is always "solid." It seemed to be understood that whatever doctrine the Administration announced, and whatever others chose to do, Mr. Benton could be depended upon to come to the defense. He was by far too busy, wise,

and manly to be a "ladies' man," and consequently seldom went in society unaccompanied by his wife. Mr. Dickerson was a bachelor, and was thus saved the annoyance of housekeepers' receptions. At all events, he deemed an excuse on this ground sufficiently well founded. But not all of the bachelors at the Capital were allowed to escape so easily. Mr. Fox, the British Minister, was somewhat of a recluse, and "society" did not appreciate him, although he had to give a party in honor of the coronation of the Queen. The Russian Minister, Bodisco, was a pompous old European courtier, and prided himself on his superior social qualities. In the winter of 1839 he gave a party which greatly upset many Washington heads. This old bachelor lived in Georgetown, and neither before nor since has such splendor been seen in that unattractive old place, as was displayed at this party. Bodisco himself outdressed all his guests. He was arrayed much like a harlequin. He wore pumps which glittered with precious stones, and silver lace with brilliants ornamented his blue dress. His guests were fed with gold spoons and forks from plateaus of gold with mirrors. The affair turned the society heads, and made the old bachelor very "popular." In April, 1840, by the consent of Nicholas, the Emperor, Bodisco was married to Miss Williams, a young girl of Washington. At this notable wedding James Buchanan and Jessie Benton were first attendants, and the courtly Henry Clay gave away the bride.

At all the parties of the day suppers were included in the entertainment. That is, at stated or irregular intervals the guests were fed. They were not at all intellectual feasts. Even at many of the White House "receptions," in those days, "refreshments" were in vogue. On one of these occasions, under the former Administration, a great cheese was cut into suitable pieces, and distributed among the callers. Much of it was thrown on the floors, and trampled under the feet, giving out a vulgar and reeking odor through the gorgeous rooms of the mansion. A wagon-load of peanuts distributed among the guests could not have been more disgusting. Eating and drinking are at best not intellectual entertainments. Although there may be ways more or less refined about them, there is not much really interesting, save to the mere animal. Why a few hours of social intercourse, even where "wit and beauty meet," must be marred by one of the grossest of human necessities, it is difficult to tell. As men become more refined, will there not be less display of these really coarse and private affairs?

General Scott was a very busy man during Mr. Van Buren's Administration. He and his wife were always in "society." There was, however, more "fuss and feathers" in Washington at that time than belonged to General Scott. Like most army officers, perhaps, Scott was pompous and fond of public notice. He was physically a giant, and could go nowhere without being conspicuous. Captain F.

Marryatt figured somewhat in Washington at this time. Everybody wanted to see him. He was invited to most of the parties, and always honored the invitations. His deportment was not attractive, nor did he concern himself on this point. He generally declined to be introduced to people, and often treated with lack of courtesy those who were unfortunate enough to come in contact with him. Wisely enough he declined encumbering himself with names and acquaintances that he could not retain, while he lacked greatly in his power and disposition to make the most of what he could not expect to escape when he had voluntarily laid himself liable.

There was a considerable preponderance of Southern aristocracy in Washington at this time, and for a restored and reformed democracy matters went to a great height socially. Still there had been some improvement, even upon the best efforts of Mr. Jefferson. And it was held that society affairs had generally taken a decided turn for the better at the Capital during Mr. Van Buren's Administration. This was not owing especially to Mr. Van Buren's interference or participation, but mainly to his sanction and tolerance. He was himself somewhat stiff and cold. It is said that on the night of his inauguration some unpolished supporter and friend brought to Mr. Van Buren, as a present, a hickory cane, which he strangely enough declined to accept, merely saying that he had no use for a cane. He sat well on a horse, and was often seen riding in the

company of his private secretary, but he attempted no airy displays, although he had a fine carriage. Nor did he put forward politics in the social affairs and relations. Indeed, his manners were free and inviting with party opponents, and thus the White House became the common center of attraction under him as it had been before the days of his predecessor, and as it has mainly continued to be since his time.

In June, 1838, Mr. Paulding had taken the place of Mahlon Dickerson in the Navy Department. In the same year Benjamin F. Butler resigned, and Felix Grundy, of Tennessee, took his place as Attorney-General; but in January, 1840, Mr. Grundy was superseded by Henry D. Gilpin, of Pennsylvania. In May, 1840, John M. Niles, of Connecticut, took the place of Amos Kendall at the head of the Post-office Department.

The following letters will explain the case:—

“POST-OFFICE DEPARTMENT, May 10, 1840.

“M. VAN BUREN, President of the United States:

“SIR,—Impelled by a painful sense of responsibility for duties which feeble health renders it impossible for me to perform, I tender you my resignation of the office of Postmaster-General, to take effect as soon as my successor can be appointed. For some months I had this step in contemplation; but desiring to promote some beneficial changes in the Post-office establishment, I lived in hope that the mild air of spring would bring with it a renovated health which would enable me to devote myself to these objects until the approach of another winter. In this flattering hope I have been disappointed.

“Although I find no cause of regret in surrendering

a high and honored trust and retiring to a private station, it is not without reluctance that I separate from the Administration at a time when it is most violently and unjustly assailed; when, with vigorous health, I might do something more at the head of a great Department to exemplify the purity of its principles; and when the motives of the step I now take may be misunderstood by some and misrepresented by others. And this feeling is strengthened by severing my official relations with yourself and the gentlemen of your Cabinet, from whom I have received so many evidences of confidence and kindness.

“To correct any erroneous impressions, I shall omit no proper occasion to make known to my countrymen, that so far from being actuated by any dissatisfaction with you or your Administration, I leave you with a respect and regard which have increased from the commencement of our official association, and with an abiding faith that the principles you maintain are the only ones which can preserve to the people of the United States the blessings of freedom and just government.

“With enduring gratitude for the kindness I have uniformly received at your hands, I remain personally and politically your devoted friend,      AMOS KENDALL.”

“WASHINGTON, May 15, 1840.

“MY DEAR SIR,—I received your letter tendering your resignation of the office of Postmaster-General, to take effect as soon as your successor can be appointed. Though in some measure prepared for this event by previous intimations on your part, and from frequent observation of the effects produced by an unremitting assiduity in the performance of your high and responsible duties, yet this neither diminishes my sense of the loss which both the public and myself will sustain by your withdrawal, nor my regret at the occasion which renders it necessary.

“To say that the manner in which you have performed



these duties has met my entire approbation, is, I am sure, unnecessary, after an official intercourse in every respect so satisfactory. Still I can not, in justice to my own feelings, refrain from assuring you that the high opinion of your talents and integrity which I entertained when you became a member of my Cabinet, has been steadily and uniformly augmented by a daily observance of the capacity, firmness, zeal, and disinterestedness with which you have uniformly administered the affairs of the Department over which you presided with so much honor to yourself and benefit to your country. Be assured that I cordially reciprocate your expressions of personal regard; that I shall anxiously look for your restoration to health, and will never cease to take a deep interest in your happiness and welfare.

"I am, dear sir, very respectfully, your sincere friend,

"TO AMOS KENDALL, Esq."

"MARTIN VAN BUREN.

In his diary Mr. Kendall wrote as follows of the different ways pursued by Mr. Adams and Mr. Van Buren toward their successors:—

"The new Administration was auspiciously inaugurated on the 4th of March, 1829. It was no credit to the manliness of Mr. Adams and his Cabinet, that none of them remained at their posts to receive their successors. They all fled as if an enemy was in hot pursuit. A beautiful contrast was exhibited by Mr. Van Buren and his friends twelve years afterward. Mr. Van Buren, on General Harrison's arrival in the city, invited him to the White House, made him acquainted with its inmates, and entertained him as his guest until the inauguration. The members of his Cabinet remained in their several offices until their successors made their appearance, received them courteously, and introduced them to their subordinates. Thus should it always be in a government like ours, in

which changes are effected by the Constitutional routine of regular suffrage, rather than the vicissitudes of civil war and its attendant bitterness."

Soon after the inauguration of his successor, Mr. Van Buren returned to his home near Kinderhook. His circumstances were good, and on this and other accounts he did not resume the practice of the law. But he was not satisfied with his tenure of the Presidential office. His strictly Democratic predecessors had served eight years, and now the majority of his party wanted to see him nominated in 1844. That he should be the nominee at that time was decided immediately after his defeat in 1840. General Jackson desired his nomination in 1844, and believed it could not be a matter of doubt. But several things, one of paramount importance, prevented his success in the convention, although he had at the outset a majority of the votes. The fact was, that Mr. Van Buren was not trusted implicitly at the South, and secretly steps were taken by a few Southern politicians to lay the foundation for his rejection without his suspecting their purpose. It was believed that his views were not in harmony with those of the South on the question of annexing Texas, and hence he must be dropped. A brief history of the intrigue leading to his defeat must here be given.

In the winter of 1842, Thomas W. Gilmer, of Virginia, wrote a long letter on the annexation of Texas to this Union. The letter favored immediate annexation, and, among other reasons, argued that

this step would put an end to the machinations of Great Britain against that country, in view of furthering her designs upon American slavery. The main point in this letter, first published in a Baltimore newspaper, was a surprise, as there was no evidence that England had of late years been meddling in the affairs of this country, or had any design of so doing. Mr. Gilmer was a warm friend of Mr. Calhoun, and was, perhaps, looking to his interests as a candidate for the succession in the Presidency. The letter reflected Mr. Calhoun's views at the time. He wanted the question of Texas annexation to be the controlling one in the next Presidential race. But for two or three reasons the Democratic party was pledged to Mr. Van Buren. Since Thomas Jefferson believed he had established the precedent, it had been a principle of the party to demand and expect two terms for their successful candidates, and Mr. Van Buren had been defeated in 1840. His Administration had finally proven to be very satisfactory to his party, too. But he was now in the way, and Mr. Calhoun and his friends were determined to have him set aside. A very cunning device toward this end was to get a favorable opinion from General Jackson on the Gilmer letter, which should clash against the real sentiments of Mr. Van Buren, his favorite. Through the hands of Aaron Vail Brown, a Representative from Tennessee, a friend of Jackson and a supposed supporter of Van Buren, the letter was sent to the Hermitage. The General readily fell into the trap, the British

scheme struck him at once, and the result was just as the intriguers desired; he wrote, or had written for him, a long letter to Brown, wholly approving Gilmer's views, and favoring great haste in the work of annexation. In this letter the General contradicted his position in 1819 as to the Spanish Treaty, and involved himself in a losing dispute with John Quincy Adams.

But the manipulators of this trick were not ready to publish this letter, and so it was put aside until time should ripen matters to give it proper weight against the nomination of the very man above all others whom General Jackson wanted to be the next President. The next step was to get something tangible before the people as to the charge of British designs on our south-western border. To obtain time for this part of the scheme, it was necessary to postpone the meeting of the nominating convention from December, 1843, to May of the following year. The managers of this affair, mostly members of Congress, now set to work writing letters to newspapers and leading party friends throughout the country, to develop a sentiment in favor of the postponement. They even asked the Whigs to defer their convention in order to make their own designs more feasible and acceptable. The Whigs assented to this apparently harmless proposition, as they had no doubt concerning their candidate, and put little stress on the loss of a year in making the nomination. The convention was put off.

A letter was now produced and published which

purported to be from a Marylander then in London, which more than confirmed Gilmer's assertions as to the designs of England. This called out the attention of Richard Packenham, the British Minister, who sent a statement on the subject to his government. And this in its turn brought an indignant reply from Aberdeen, the British Secretary of Foreign Affairs, contradicting the whole affair. The Marylander's London letter proved to be one of Duff Green's fabrications, a fact which was not, however, known for some time subsequently. The managers of the work in hand (mainly the friends of Mr. Calhoun) were now ready, in some degree, for their next step; that is, undoing the general sentiment in favor of Mr. Van Buren's nomination. To this end letters were sent throughout the country. Unsteady politicians and unreliable characters were first approached. The arguments were not extensive or very definite. It was generally merely stated that, as Mr. Van Buren could not be elected, it would be impolitic and unwise to nominate him. Nor was it the design of these schemers generally to nominate Mr. Calhoun. The talk to that effect in favorable quarters was mere pretense. It was certainly well known that he could not be elected President. While Mr. Calhoun was strongly in favor of annexation, it was doubtful whether he would sanction the land speculations, a matter of great importance to the intriguers. Still he believed for a time that this whole movement was to substitute himself for Mr. Van Buren.

But after all their manipulations, the delegates to the convention were largely instructed to support Mr. Van Buren. The purpose of the intrigue was suspected all around, and some Congressmen and others publicly denounced the movement as designed to defeat the known will of the people. The original plan of bringing Jackson's Texas annexation letter into the convention to defeat Mr. Van Buren was abandoned, the date was changed from 1843 to 1844, and it was then given to the public. Blair, believing that it would injure Mr. Van Buren, declined to print it in "The Globe." Another medium was readily found. The appearance of the letter produced some commotion among the Democrats, and the friends of Mr. Van Buren believing that General Jackson had been decoyed into writing it, B. F. Butler was sent all the way to the "Hermitage" to apprise the old hero of the artful trick. General Jackson was greatly chagrined, and made an earnest but powerless effort to undo what he had done. He wrote another letter, indorsing Mr. Van Buren and apologizing for the position his favorite was supposed to take against the immediate annexation of Texas, at the risk of war with Mexico.

The next thing in order was to get the unmistakable views of the would-be candidates on this important question. The candidates were Clay, Van Buren, and Calhoun, strictly speaking; but Cass, Tyler, Buchanan, and Richard M. Johnson were among the possibilities. All these men were for immediate annexation without regard to conse-



quences, except Van Buren and Mr. Clay. Mr. Van Buren's answer was not a surprise. It was well known that, like Mr. Clay, he only favored the annexation of Texas to this country by the consent of Mexico, in a mode satisfactory to both republics. And yet with this view it was well known that a majority of the delegates to the nominating convention had been instructed to support Mr. Van Buren. By the time of the assembling of the convention in May, Mr. Calhoun had dropped out as a candidate, having placed his withdrawal on the ground of objection to the character of the convention, claiming that the delegates should be elected in the districts, and be "fresh from the people," to do their bidding. All of Mr. Calhoun's objections were well taken, but still the convention system prevails. Mr. Calhoun was, however, too close and penetrating in his oversight of events not to be aware that he could not be nominated at Baltimore.

There was yet one way for defeating Mr. Van Buren, and, of course, that would be taken without a scruple when the time came. In 1832, the Democrats, for a purpose, adopted their two-thirds rule, requiring two-thirds of all the delegates to nominate. In 1836 the rule was readopted, still it was now well understood that it had not become an established usage of the party. One object of this rule had been to give more apparent strength to the nomination when there could be no doubt as to the nominee. Now, however, the object was quite different. Mr. Van Buren was the choice of the party

and a majority of the leaders, perhaps, but it was believed that he could not carry two-thirds of the delegates. Mr. Van Buren's friends fought desperately against the rule, and in its adoption they saw the defeat of their candidate.

On the first ballot Van Buren received 151 of the 266 votes of the convention. But now his vote steadily declined until the seventh ballot, when his friends, seeing the hopelessness of their case, withdrew his name. The other votes were cast for Cass, Johnson, and Buchanan, Mr. Tyler having a little convention of his own at the same time, where he was formally nominated for the Presidency. On the eighth ballot, James K. Polk, who had been the candidate for Vice-President, was voted for, and on the ninth ballot was actually nominated. The convention at once nominated Silas Wright for the Vice-Presidency, but Mr. Wright, having witnessed the treacherous defeat of his friend, speedily declined this honor. George M. Dallas was then substituted.

Had General Jackson not been misled, or had he, before the South became alarmed touching Mr. Van Buren's views, been himself fully aware of their character, the case would have been quite different, perhaps, with his favorite. Although entirely cognizant of the whole mean trick by which he was defeated before the convention, and hence cheated out of a second term in the Presidency, Mr. Van Buren supported the party nominees.

When Mr. Polk entered the Presidency he offered Van Buren the mission to England, but this was

declined. He now settled down at his home near the place of his birth, and after the snobbish style not yet out of fashion in this country called it "Lindenwald." But he was not quite easy in his retirement. One term more of the Presidency would have filled his cup. Baltimore was still the great convention seat. It was most convenient for the political managers at Washington. When the Democratic Convention met there on the fourth Monday in May, 1848, there were found to be two sets of delegates from Mr. Van Buren's State, one Free-soil and the other pro-slavery. The latter of these were called *Hunkers*, and the former *Barnburners*, who were the avowed supporters of Mr. Van Buren for the Presidency. Both of these delegations were assigned seats in the convention, but neither set took part in the business of the convention; and the Barnburners finally taking offense at the admission of the other delegation, withdrew. Not willing to accept the nominations made in Baltimore, these men now met on the 22d of June, at Utica, New York, and nominated Mr. Van Buren and Henry Dodge (of Wisconsin) as their candidates for President and Vice-President. But Mr. Dodge declined making a race of the kind, while Mr. Van Buren neither declined nor gave the use of his name. He was opposed to the Baltimore nominees, Cass and Butler. After this work of the Barnburners, they authorized themselves to act in another national convention to be called, and then adjourned.

On the 9th of August, 1848, all the free States

sent delegates to Buffalo. This convention was presided over by Charles Francis Adams, and was composed of the dissenting New York radical Democrats, some dissenting Whigs who opposed Taylor and Fillmore, and most of the moderate and regular Abolitionists. Mr. Van Buren was nominated for the Presidency and Charles Francis Adams for the Vice-Presidency. John P. Hale had been nominated as the regular Abolition candidate for the Presidency, but withdrew in favor of Mr. Van Buren. The extreme faction of Abolitionists had declared in favor of Gerrit Smith for the Presidency, and Mr. Smith held on. Many of the radical or Barnburner Democrats in New York who had at the outset declined to follow the Baltimore Convention, now went back to the support of the regular nominees. They could not unite with the Abolitionists in support of the Free-soil nominations at Buffalo, as much as they were wedded to Mr. Van Buren. In sixteen States the Free-soilers organized electoral tickets.

The Hunkers or regular Democrats of New York put forward their candidates for governor and other State officers; and the Barnburners induced the Abolitionists to join with them in support of John A. Dix for governor, and Seth M. Gates, an Abolitionist, for lieutenant-governor. In this divided arrangement of the Democracy in New York the Whigs had no difficulty in carrying the State, electing all their candidates, from Hamilton Fish (for governor) down, having 108 members in the Lower House of the Legislature, while the Hunkers elected

only 7 members, and the Free-soilers 13. The Free-soilers and the Democrats also each sent one Representative to Congress.

The Whigs met this time in national convention at Philadelphia on the 7th of June, 1848, and on the fourth ballot nominated General Taylor over Mr. Clay for the Presidency. Millard Fillmore was nominated for the Vice-Presidency. Many Whigs throughout the country were dissatisfied with the selection of General Taylor. Many of them withdrew, and did not give in to the support of the ticket. Indeed, most of the Whig newspapers were slow in putting forward his name, and with great reluctance many of them finally came to his support. Among these was the "New York Tribune." Horace Greeley and most of the other Whig editors were great admirers of Henry Clay, and one of the most aggravating disappointments of their whole lives was their failure to make him President. When the chances of his election were hardly matter of doubt, in fact were certain, in 1840 and 1848, strangely enough something came in the way of his nomination.

The campaign of 1848 was one of considerable spirit, but hardly comparable with many others. The elements of enthusiasm were not very conspicuous. General Cass was an able man, with a fine record, but he belonged to the wrong side of the slave line. And, of course, whatever Mr. Van Buren had been, there was no chance for him now. The entire Free-soil popular vote was 291,263, but there was no electoral vote for Mr. Van Buren. Virginia gave

him nine votes at the polls; Delaware, still numbered among the slave States, gave him eighty, and Maryland one hundred and twenty-five, the other slave States casting none. The largest Free-soil vote was cast in New York, that State giving Mr. Van Buren 120,510, Mr. Cass 114,318, and General Taylor 218,603 votes.

Thus ended Mr. Buren's political career. His Free-soil race separated him from his old associations, as he must have known would be the case. If this was the most strange and inconsistent step in his life, it was also one which must go far toward disproving the quite general opinion that he was wholly politic in all his actions, was always intent on his own interests, and greatly lacked moral scruples as to the means to be employed. Mr. Van Buren knew there was no chance for his success in 1848, and no man knew better than he the light in which his course would be viewed by his old political friends. Still he had not turned his coat. To the end of his life Mr. Van Buren really remained firm in his adherence to the political principles of his earlier public career. He was always a Democrat. But when the War of the Rebellion began in earnest in 1861, he did not hesitate as to the side on which he must stand. He was a patriot, and to his last moments prayed for the restoration of national authority, as well as for the coming of an age of perfect peace and good-will among his countrymen.



## CHAPTER XXV.

MR. VAN BUREN—HIS PRINCIPLES AND ADMINISTRATION  
OF PUBLIC AFFAIRS—A REVIEW.

THE circumstances under which Mr. Van Buren began his administration of the affairs of the Government were only superficially auspicious. It was claimed that he was merely continuing the "reign" of General Jackson, but this was trifling with the facts in the case. From the patronage of the Hero of New Orleans his benefits were, no doubt, considerable, but the evil features of his inheritance could not be overlooked. His conciliatory and unpretentious inaugural was well received generally; at any rate no great objection was made to it except by the Abolitionists. He had deemed it necessary for him at the outset to make known his sentiments to them; and while he gravely and severely arraigned the Abolitionists whose course led to the riotous proceedings in parts of the country, he made no reference to the outraged majesty of law and civilization which must always be proclaimed by the very existence of the mob.

His success at the polls, as the "heir apparent," as he had been facetiously termed, seemed to go far toward strengthening the conviction that the affairs of the country were permanently fixed in

the hands of his party. Nothing appeared more certain than the continued preponderance of the Democracy at the beginning of Mr. Van Buren's Administration. But these appearances were fictitious, and there soon came a violent change in the aspect of things. The year had not passed until a tornado had swept the country. It was the result of the accumulations of the last eight years in the conduct of public affairs. The new Administration was held responsible for the evils of the moment, and the cry against it was wide-spread. In the President's own State the Whigs swept the field in 1837, electing 101 out of the 128 members of the Lower House of the Legislature, and nearly all of the Senators; and in the following year they elected William H. Seward for governor by a large majority, and the Legislature by nearly the majorities of the year before. The tide had really set in, which, demanding a change, was destined to culminate in 1840 in almost annihilating Mr. Van Buren's party, to all appearances, and General Jackson with it. Yet no greater disappointments ever fell in the track of great expectations than followed the election of General Harrison.

In President Van Buren's first message he arrayed the banks of the country against him, by the bold announcement that he was opposed to the chartering or organizing of a national bank, and that the State banks had proven to be failures as means of conducting the public business and as safe depositories of the national revenues; and at the same time recommending that the funds of the Govern-

ment should be kept in the direct charge of the Treasury Department, whose officers were appointed by and under the control of the Executive. Under this view of things the State banks, and all deriving benefits from the deposits of the Government, became hostile to the Administration. In the destruction of the Bank of the United States the great "monopoly" was only slightly subdivided. The chartering and support of State banks proved to be unsatisfactory. So intense did the opposition to the new banking system become in parts of the country, that a cry was raised against chartering institutions only to be converted to unequal trade or monopoly. In New York the party opposing bank and other monopolies was called the Equal Rights party. Even as early as 1835, this party had acquired considerable strength in that State. They were mainly Democrats; and, in November, 1835, an arrangement was made for a convention at Tammany Hall, to confirm or reject the Presidential nominations. This was a boisterous and fruitless meeting; and was finally broken up in a contest for the mastery between the anti-monopolists and the regular Tammany men. In the midst of the strife, the lights were put out, and the hall left in darkness. But the Equal Rights men, expecting this trick, came with candles and locofoco matches in their pockets; and to the great amazement of their opponents, in a moment every man had a light in his hand. Immediately after this singular event, the opposition newspapers dubbed the Equal

Rights men Locofocos; and this the Whigs gladly taking up, the whole Democrat party throughout the country was soon known as the Locofoco party. The New York Locofocos were greatly pleased with President Van Buren's first message to Congress; but as a faction in New York there was not much hope for them, and after having so divided the party as to give the election to the Whigs, the Equal Rights men finally united with Tammany in the fall of 1837.

Notwithstanding many adverse appearances, the friends and even many of the opponents of Mr. Van Buren in New York believed he would be re-elected, a belief not, however, greatly strengthened by his visit in the summer of 1839. The fall elections of that year went far towards dispelling the hopes of his party. Of all the things contributing to the defeat of Mr. Van Buren in 1840, his sub-treasury project was of first importance, although most of the people throughout the country were opposed to the "pet bank" system established under his predecessor, and the Democrats generally were unfavorable to the establishment of another United States Bank. All the real and imaginary wrong steps in Jackson's Administration were charged also to his; his Northern State nativity was against him, as the people of the South even then were not willing to support a Northern man for the Presidency, no matter what his pretensions. Mr. Van Buren, in his effort to please the South, it was charged, had neglected his Northern friends; he

was accused of being a Northern "dough-face," a Northern man with Southern principles, of being subservient to the South; his appointments, many of them, were not especially fortunate to him, as adding nothing to the party strength; he kept Jackson's Cabinet, which was not according to the expectation of his party friends, who desired him to make some happy turns in this way; his appointment of Mr. Paulding to a place in his Cabinet was not satisfactory on either hand, as he added nothing to the party strength, and his capers on the subject of slavery were not well relished by the more considerate Northern Democrats; the banks were mainly against him; a change was demanded, and those who raised and spread the cry for it believed themselves sustained by recent calamities; and not least among the causes of Mr. Van Buren's defeat in 1840 was his reliance on the name of his generous patron, General Jackson, who never was beaten, not even by death, according to the opinion of some of his old slaves, as well as of not a few of his white Tennessee admirers. This reliance, perhaps, led him, to some extent, to neglect the politician's cunning devices, features which had marked his career in a narrower field. But Mr. Van Buren was always charged with a disposition to shirk responsibility, and foster a policy that would develop strength for him at the polls, a charge which neither his expressed sentiments nor his conduct as President could at all sustain. So it was claimed that Mr. Van Buren lacked confidence in himself, had not

decision of character, and above all that he was led by, or recognized himself as under the influence and control of, General Jackson, and could not help himself. He had, at the outset, said that he would "tread in the footsteps of his illustrious predecessor," and on this hyperbolical figure the opposition placed the charge of subserviency and incompetency. But much more was made of this declaration than the character and course of President Van Buren warranted. It was mere trifling with facts and an old-time courtesy. It has been the boast of politicians at various periods, that they were following in the footsteps of Jefferson, Madison, and other early statesmen, and yet no stress was ever put upon this fact to their detriment. Following in the same footsteps never meant more than to follow in the general spirit; and less than this Mr. Van Buren could not have meant, as many of Jackson's measures were his own, and his party supporters mainly adhered to the policy of General Jackson's Administration. Some contemporary writer expressed Mr. Van Buren's character in these words:—

"He is easy and urbane in his intercourse in life, but in general society seldom commits himself by any hasty remark or pertinacious opinion. If he be the magician they call him, he is a singular one, for he makes no flourishes with strange sounds; draws no magic circles on the floor; nor does he open any wizard's book to read his own fate, or that of others. He casts his horoscope from the returns of votes, and makes all his calculations from probable changes. Such a man is a politician hard to be met, for he is wary, and ready for any emergency."



Mr. Van Buren had barely got fairly into the President's chair when he began to feel the full effects of what General Jackson termed his "humble efforts to restore to the country a Constitutional currency." If Jackson had lifted him into the place, it was not destined to be a bed of roses. It was something to be the political heir of Andrew Jackson. He could not arrest the tide of ruin which swept over the country. Bankruptcy was the order of the day. Not a mere solitary crash came here and there, but it was a hurricane, gathering everything great and small before it. In some of the large cities the business failures were numbered by the hundred monthly, and the decrease in the former valuation of every kind of property was enormous. A New York address to Mr. Van Buren, soon after he entered upon the Presidency, said: "The error of our rulers has produced a wider desolation than the pestilence which depopulated our streets, or the conflagration which laid them in ashes."

At the door of this Administration were unloaded all the evils of the preceding, real and imaginary, and the "Little Magician of Kinderhook" could not avert the tide that came against him, whatever was his disposition. The result was a clamor for a change, which was the way to remedy unavoidable ills. The old man at the Hermitage heard the jar and commotion, but his power was gone. He was no more the people's idol. He was identified with, or was some way the author of, the evil which had befallen them. Even at Nashville his old enemy,

“Harry of the West,” was lauded to the skies. The Whigs had a popular candidate, and thousands of bankrupt people who had shouted, “Hurrah for Jackson,” took up the cry for “Old Tippecanoe, and Tyler, too!”

Mr. Van Buren was the first politician, in the present wide-spread use of the term, who became President, although the battle of New Orleans and the politicians had raised General Jackson into the Executive chair. If it was not always pre-eminent statesmanship that controlled the choice of Presidents before this period, there was at least a different order of men kept at the head of affairs, and the political machinery was differently handled. Both home and foreign writers have held that Mr. Van Buren only regarded ideas and principles so far as they served himself, so far as they advanced his own interests, and that he was destitute of moral force to control his acts and life. The unjustness of this view it is not necessary to reiterate here. While Mr. Van Buren was a politician, he did not always fall below the statesman. If he traded in politics in New York, when he entered the Vice-Presidency and the Presidency he left this quality behind him. During his Vice-Presidency, he made no effort to secure the higher place, relying mainly on the friendship and power of his friend. And when he became President, his acts were not chosen with reference to conditions for securing a re-election. His course as President was not that of a man who is sacrificing moral and political principles to party policy. He

was not sustaining the character of a trading politician. Nor, indeed, would it be an easy task to show that any of his successors have done so.

To slavery Mr. Van Buren was never very friendly. There need be no question on this point. When he went from State to national positions, his forbearance with slavery arose mainly from his desire to see harmony in the affairs of the country. Still his course towards the South was not, perhaps, clear of the motive of the politician. For both of these reasons he gave the decisive vote in favor of Mr. Calhoun's bill providing for stopping the circulation of Abolition publications through the mails of the South. His disposition to pander to the South at the period of his Vice-Presidency, from whatever motive, led him to overstep the boundaries of simple propriety, it was held. But he was a candidate for the Presidency. Without the support of the South, what could he do? His situation was difficult for a Northern man. The South held in her hands the means of success or defeat. At this juncture he was not secure even in his own section. At the time of entering upon the Presidency, Mr. Van Buren thought the exigencies of the case demanded an extreme protest and asseveration on his part as to slavery, and his inaugural address met the circumstances. He had a right, as President, to veto any act of Congress, the law-making power. But his declaration beforehand that he would veto any act of Congress on a certain subject, was claiming in himself as President a corrective not provided for

in the Constitution. His position was not Democratic, and it met a spasmodic opposition in his party. The veto power had been used with great caution during the first forty years of the Republic. The legislative department of the Government was supposed to be nearer to the people, and the Executive veto was an extraordinary assumption of a Constitutional privilege. But notwithstanding this early bombastic, political threat of Mr. Van Buren, no President of the United States had been more averse than he to the employment of the veto power. And while he did not want for opportunities, he did not, in the whole course of his term, once exercise that power.

Mr. Van Buren was not responsible for General Jackson, nor for the financial crash that so closely followed upon his inauguration. Nor, indeed, was Jackson wholly responsible for the bubble which burst after him. Congress shared with him the responsibility of making things worse than they should have been. Mr. Van Buren was not especially censurable for being the favorite of General Jackson. That was a piece of good fortune which he did not obtain by any unfairness, and this piece of good fortune almost made him a statesman. If he had been a partisan intriguer in the State and as a Senator, as President of the Senate he had been fair and dignified. He stood above the spoils-seeking features of politics. And during his Presidency he not only made no efforts for his own continuance in office, but his acts were of an opposite character, and, for a time, distasteful to a large proportion of his own

party. He could not be driven, nor wheedled, nor flattered from his convictions. And, although he took the Executive chair, as most others who have occupied that position, without great and well-defined purposes and plans, he was undoubtedly quite as well qualified to meet the extraordinary emergency as the great Congress that opposed him at every step.

There was no lack of courage at any point of his Administration. And if a people ever owe gratitude to a man for doing his best, this country would owe Mr. Van Buren a considerable debt for the cool, unflinching pluck he displayed in the contest for the divorce of bank and State. In this contest and in his views of a national independent treasury he rose to the rank and dignity of a statesman. In the midst of a tornado of personal abuse, he never lost his characteristic equanimity, or the invariable suavity that attached to his conduct. In this temper he piloted the country, in a manner, through the great monetary explosions of 1837 and 1839; and this in spite of Congressional opposition. In the called session of 1837, he boldly and clearly set forth his plan for an independent treasury and asked for legislation in its behalf, and without waiting for action on the part of Congress, began, from sheer necessity, to put his views into execution. He called attention to the almost bankrupt condition of the Government, and without consulting his personal interest, recommended the withholding of the last or fourth distribution among the States, and the issue

of a few millions of the notes of the Government. This new debt was not a necessity of his making, and he was in no sense responsible for it. The Whigs charged this debt to him, but it must have been known that the charge was founded in insincerity. He held on in his course, and when the old Bank of the United States finally went down, carrying hundreds of smaller institutions with it, he clung to the public revenue, demanding gold and silver, and making the Government or Department Treasury the depository. When he had been defeated for re-election, he appealed in his last message for the salvation of his "Sub-Treasury," which had vindicated its own worth; and although it was attacked in hot haste under the new Whig Administration, it substantially remained the foundation of the great national Independent Treasury system of to-day. The pages of subsequent history have well vindicated the wisdom, courage, and patriotism of Mr. Van Buren in this matter; and the party to which he really always belonged may well draw consolation from this brilliant achievement, where they were victorious and right. Mr. Van Buren's "Independent Treasury" scheme was a national measure, and exhibited in a high sense his devotion to national interests. That it was antagonistic to "State sovereignty" did not concern him, or, perhaps, did not occur to him, as it certainly did not to many of the friends of that dogma.

On the slavery question, whatever the appearances to the contrary, Mr. Van Buren may have



been sincere at the outset of his Administration. His veto threat did not put down agitation; nor did he believe it would. While this act had about it the air of the mere political trimmer, it was sanctioned by a great majority of Congressmen and the masses of the people of all localities. His desires on this point were not without precedents. The founders of the Republic and their descendants had labored for quiet and harmony on the subject until some satisfactory solution could be reached for its final settlement.

The Seminole War was a fruitful theme for the opposition, and the anti-slavery elements especially found in it material for attack on the Administration and its supporters. The history and character of this war and the part slavery took in it will be found elsewhere in this work. The war dragged along for many years at an expense of millions of dollars and many lives, and was not a credit to anybody engaged in its prosecution. While Mr. Van Buren was not its originator, nor a great friend of the policy that led to it, he favored its prosecution, and was a party to the facts and conditions on which it was continued.

The great charge against Mr. Van Buren's Administration, made of most importance in the campaign of 1840, was based upon financial grounds. It was claimed not only that the financial system set forward by him was wrong, but also that his administration of public affairs was marked by extraordinary expense and extravagance. Yet these charges were not so clearly established, and the friends of the

Administration were able to show many extraordinary sources of demand upon the revenue at this time, for which the Administration was not responsible. In what proportion Congress and the Administration were responsible for the heavy demands of the times was not very apparent. The Seminole War and its expense were inherited; and Whig Congressmen were not clear of some share of responsibility. The great New York custom-house fraud developed in the first half of Mr. Van Buren's term was brought with telling force against him in the campaign of 1840, but hardly with exact justice. Samuel Swartwout was appointed to that place early in General Jackson's Administration, and resigned in the second year of Mr. Van Buren's. His frauds against the Government amounted to more than a million and a quarter dollars, and although there was an attempt made to show that his peculations began in 1837, nobody believed this, and Mr. Woodbury was able to show clearly that the scamp began his thefts at least as early as 1830. The only fault of Mr. Van Buren's Administration in this case, perhaps, was the tardiness with which it pushed the prosecution. This Swartwout fraud brought out a vast amount of hitherto secret corruption which Mr. Van Buren had to shoulder.

In the great turmoil of discussion at this time it was not very clearly shown why the Whigs were purer men, and how things would necessarily be better under their management. But they seemed to believe so themselves, and so they rang the cry

of change, change, change, throughout the land, a specious word which has often since that day exercised a doubtful influence on the relative voting strength of the two great parties. It was a rallying term then, and has been so ever since, without much reference to its real virtue or soundness. On the Whig side especially, in 1840, the campaign was largely made up of rallying devices. The Democrats did the best they could, but they wanted the magic of "New Orleans," hickory brooms, etc., and the great bulk of exaggeration was on the Whig side. It was not a contest of statesmen, nor of great principles. The Whigs did promise to repeal the law establishing the Sub-Treasury, and talked of another United States Bank, but they chiefly relied on the demand for a change in the public administration, and held out the idea that the country would be prosperous and safe when the people became wise enough to transfer affairs to their hands. If there were statesmen in 1840, they disappeared; politicians only came to the front in the great campaign. It must have been pitiable, indeed, to see Clay and Webster, and many other lofty characters, crying change, and appealing to the passions of the people in the heat of the log-cabin, hard-cider, and coon-skin excitement which stirred the country from end to end in 1840. With all his fondness for dash and exaggeration General Jackson could not stand the racket made by the delirious Whigs; and even J. Q. Adams, the severe, dignified, and patriotic Whig, thought the wonderful bustle portended no good to the country.

Although the whole "log-cabin" campaign was mere political charlatanry, it was really not so serious as Mr. Adams supposed it to be. It was smoke and fun, and when these were cleared away on election week, the people would return to their usually good sense.

In Mr. Van Buren's times at the White House, the practice of assessing employés for campaign expenses was, to some extent, introduced. Especially was this so in the custom-house in New York, where Tammany Hall controlled party affairs. This vice had, perhaps, gained some headway under the previous Administration. Still it was then, as under Mr. Van Buren, the result of party manipulations, and was not the work of the Administration. Since that day the morals of the country have been trained to look with some greater degree of complacency on this evil, nor is the participation of Cabinet officers and other important officials in Presidential contests now deemed a disgrace to the office or the country. Mr. Benton thus speaks of the Independent Treasury, and other features of Mr. Van Buren's Administration:—

"The last session of the Twenty-sixth Congress was barren of measures, and necessarily so, as being the last of an Administration superseded by the popular voice, and soon to expire; and therefore restricted by a sense of propriety, during the brief remainder of its existence, to the details of business and the routine of service. But his Administration had not been barren of measures, nor inauspicious to the harmony of the Union. It had seen great measures adopted, and sectional harmony conciliated.

The divorce of bank and State, and the restoration of the Constitutional currency, were illustrious measures, beneficial to the Government and the people; and the benefits of which will continue to be felt as long as they shall be kept. One of them dissolved a meretricious connection, disadvantageous to both parties, and most so to the one that should have suffered least, and was made to suffer most. The other carried back the Government to what it was intended to be—re-established it as it was in the first year of Washington's Administration; made it in fact a hard-money Government, giving solidity to the Treasury, and freeing the Government and the people from the revulsions and vicissitudes of the paper system. No more complaints about the currency and the exchanges since that time. Unexampled prosperity has attended the people; and the Government, besides excess of solid money in time of peace, has carried on a foreign war, three thousand miles from home, with its securities above par during the whole time—a felicitous distinction never enjoyed by our country before, and seldom by any country of the world. These two measures constitute an era in the working of our Government entitled to a proud place in its history, on which the eye of posterity may look back with gratitude and admiration.

“His Administration was auspicious to the general harmony, and presents a period of remarkable exemption from the sectional bitterness which had so much afflicted the Union for some years before, and so much more sorely since. Faithful to the sentiments expressed in his inaugural address, he held a firm and even course between sections and parties, and passed through his term without offense to the North or the South on the subject of slavery. He reconciled South Carolina to the Union; received the support of her delegation in Congress; saw his Administration receive the approving vote of her General Assembly; and counted her vote among

those which he received for the Presidency, the first Presidential vote which she had given in twelve years. No President ever had a more difficult time. Two general suspensions of the banks, one at the beginning, and the other towards the close of his Administration—the delinquent institutions in both instances allying themselves with a great political party—were powerful enough to derange and distress the business of the country, and unscrupulous enough to charge upon his Administration the mischiefs which themselves created. Meritorious at home and in his internal policy, his Administration was equally so in its foreign relations. The insurrection in Canada, contemporaneous with his accession to the Presidency, made a crisis between the United States and Great Britain, in which he discharged his high duties with equal firmness, skill, and success. The border line of the United States for a thousand miles was in commotion to join the insurgent Canadians. The laws of neutrality, the duties of good neighborhood, our own peace (liable to be endangered by lawless expeditions from our shores), all required him to repress this commotion. And faithfully he did so, using all the means—judicial and military—which the laws put in his hands; and successfully for the maintenance of neutrality, but with some personal detriment, losing much popular favor in the border States from his strenuous repression of aid to a neighboring people, insurgent for liberty, and militarily crushed in the attempt. He did his duty towards Great Britain by preventing succor from going to her revolted subjects; and when the scene was changed, and her authorities did an injury to us by the murder of our citizens, and the destruction of a vessel on our own shore—the case of the *Caroline* at Schlosser—he did his duty to the United States by demanding redress; and when one of the alleged perpetrators was caught in the State where the



outrage had been committed, he did his duty to that State by asserting her right to punish the infraction of her own laws. And although he did not obtain the redress for the outrage at Schlosser, yet it was never *refused* to him, nor the right to redress *denied*, nor the outrage itself *assumed* by the British government as long as his Administration lasted. Respected at home, his Administration was equally so abroad. Cordially supported by his friends in Congress, he was equally so by his Cabinet, and his leading newspaper, the Washington "Globe." With every title to respect, and to public confidence, he was disappointed of a second election, but in a canvass which had had no precedent, and has had no imitation, and in which an increase of 364,000 votes on his previous election, attests an increase of strength which fair means could not have overcome."

## CHAPTER XXVI.

RETIREMENT AT KINDERHOOK—LITERARY WORK—"POLITICAL PARTIES"—DEATH—FAMILY OF MR. VAN BUREN—PRINCE JOHN.

NOT long before the expiration of his term of the Presidency, Mr. Van Buren purchased a farm near Kinderhook. This beautiful retreat he called "Lindenwald," probably in memory of his more aristocratic, undemocratic days, when he was not a supporter of universal suffrage, and believed in a property qualification for voters. Still Mr. Van Buren really had little of the old Hudson River colonial aristocracy about him, notwithstanding the few spirits in his earlier political career, which were so persistently ridiculed by some of his critics. Columbia County has in it, at this day, many colored people, who are mainly the descendants of the old race of New York slaves. But it is not probable that the Van Buren family ever had slaves, and had any opportunity to base a title to aristocracy on this "peculiar institution." "Lindenwald" originally contained two hundred and forty acres, and cost Mr. Van Buren about sixty dollars an acre. The house in which the Ex-President lived was built in 1797; so reads a plate

on the front door. It was built by one of the Van Nesses, its former owners. The main part of the dwelling originally had only four capacious rooms, two on the first and two on the second floor, with a great hall running between them. In these big rooms Washington Irving taught the young Van Nesses, and talked and drank punch with Ichabod Crane. These great rooms were, after a time, subdivided, and made into four smaller ones on the second, and four or five on the first, floor. The back or one-story part of the house has in it four rooms, one of which, extending its width beyond the main building, was Mr. Van Buren's library and study. Above and on this part is a kind of tower rising above the main building, and appearing like an old mill or barn lookout. Under the entire house there is a cellar, the back part of which is made into a kitchen and a family dining-room. The house is of brick, and plainly finished. The front facing the road has a porch leading to the main hall and entrance. Some dilapidated chicken and other houses stand in the rear of this dwelling, and a well with an old-fashioned pump is near the back door. As the wheezy old pump was made to bring up the stagnant, if not mephitic, water, it brought to mind many a wind-broken man, and I could not avoid thinking it a fit representative of the wheezy race of old fellows who had quaffed from this well in its better days, or who had seasoned more acceptable drinks with its limpid contents.

The house stands in a perfectly level lot of six or eight acres, covered with fruit and grand old forest trees, with very little ornamental shrubbery, the present owner, Adam Wagoner, retaining it much the same as when Mr. Van Buren left it. The forest trees are ash, locust, and white pine mainly, the latter predominating. Some of these magnificent pines are more than three feet in diameter, and a hundred feet in height. A hundred feet or so from the house, in this large inclosure, is a garden, and in this Mr. Van Buren kept a flower and green house. A few hundred yards from the dwelling is a tenant-house once occupied by Mr. Van Buren's farmer. There are two other small frame houses on the tract, now inhabited by negroes. The farm lies in two plateaus, one on a level with the old wagon-road from Albany to New York, and on this stand the houses; and the other plateau is a rich, level bottom. Mr. Van Buren left a needy family, and soon after his death this beautiful farm passed into other hands, so that nothing owned by him about Kinderhook now belongs to any of his relatives.

Notwithstanding his disappointments, Mr. Van Buren sat down in this quiet retreat with great delight. His equable temper enabled him readily to adapt himself to his changed circumstances. His great equanimity had served him well in trying public places, and now it became his most noticeable trait. He was a warm admirer of nature, and was really fond of quiet country life. He earnestly believed in the advantages, in many respects, of coun-

try over town life, and no President of the United States more sincerely eulogized the farmer's value to the community at large than did he. Indeed, Mr. Van Buren believed that nowhere could man live so well and successfully as on the farm. Although, according to his own account, Mr. Van Buren got on swimmingly in Jackson's disjointed Cabinet, in the presence of the conflict of giants in the Senate while he presided over that body, and at every other turn in life, his philosophic temper always exhibiting him to advantage, yet, perhaps, he never appeared so well or was really so contented as while living on his farm at this time, free from all public concern.

In 1853, at the urgent request of political friends, more than from his own inclinations, he began to write his recollections of public events in connection with his own career. He gave his attention to this work as leisure and inclination prompted him. Mr. Van Buren was not a great writer, nor did he display very decided literary tendencies. James A. Hamilton said of him, that "his knowledge of books outside of his profession was more limited than that of any other public man I ever knew. This remark refers to him at the time I saw most of him, when he was Secretary of State." At all events, his progress was necessarily slow in the work he had now undertaken. The failure of his health had much to do with his labors; and so, from one cause and another, at the time of his death he had brought his memoirs down only to the winter of 1834. He did not revise what he had written, although this he

designed doing. It was well understood with him that none of his work would be printed during his life. The publication was to be left to his children. In 1867 his notes and writings for this memoir were put into the hands of Charles H. Hunt, of New York, who had undertaken to prepare a biography of Mr. Van Buren. But Mr. Hunt was delayed in his work, and, although he made considerable progress in it, he died before the task was sufficiently advanced for use.

Besides this work, Mr. Van Buren prepared his views on the early Administrations, with some reflections on those after his own and the salient points of General Jackson's. The first four chapters are mainly taken up with a review of the formation of the Government, the origin of parties, the evil and good influences of Alexander Hamilton, the attempts of Hamilton to establish a moneyed aristocracy in this country, Mr. Jefferson's counteracting influences, and the value and weight of men of divergent principles in the adoption and perpetuation of the theories and practices of the Government. In the remaining five chapters of the work he reviews the Administration of John Adams, the character and course of the National Judiciary, sets out the opinion that Hamilton's designs were to disgrace and then overthrow this Government, exhibits the relative work of Hamilton and Jefferson, shows the course of the Supreme Court in Jackson's and later Administrations, and finally reviews the political struggles of seventy years, attributing the right turn



in all good, bad, vexed, and difficult matters in the history of the country and politics to Mr. Jefferson and his party.

This work, entitled "Inquiry into the Origin and Course of Political Parties in the United States," as edited and published by Mr. Van Buren's sons in 1867, the title being devised by them, contains four hundred and thirty-six octavo pages, and was designed by him to constitute a part of his "Memoirs." It is the most consequential account of early American politics ever written by a member of the party to which Mr. Van Buren declares that he was always faithfully attached, whatever may be thought of the character of the work.

In 1853 Mr. Van Buren made a trip to Europe, where he remained more than a year, and was everywhere treated with much consideration. After his return, he made occasional visits to New York City and other places, but mainly remained on his farm, giving his attention to its cultivation. He was, indeed, greatly attached to this new employment, and, as a farmer, was fully up to the necessities, if not also of the spirit of the times. He had, however, little inclination towards ornamental or landscape gardening and improvements. "Lindenwald," therefore, while being naturally beautiful, exhibits little trace of a master-hand or refined taste, being almost destitute of ornamental plants. With the exception of that of Millard Fillmore, in Buffalo, perhaps, no home of an Ex-President of the United States was so little beautified as Martin Van Buren's, by the

taste and hand of its owner. The vast lawn around his house he kept smooth, clean, and well-set in grass; and through this a graveled carriage-road, opening by two gates a hundred and fifty yards apart into the public highway, led to the old dwelling. The public road in front of the place is mainly macadamized, and was once a toll-pike. But the entire system of toll-roads long ago became extinct in that beautiful country.

Mr. Van Buren went freely among his neighbors, and was in many ways beneficial to them, although he was not an extremely open-handed man. His neighbors were mainly descendants of the old Dutch colonists, and to them he belonged, a Van among a race of Vans. They took some real pride in his success. Although he had a carriage and often appeared in it, he was a model on horseback, and was accustomed to ride to the village and among his neighbors in that way. In these trips he generally stopped and talked with the farmers about their affairs, and sometimes talked politics, not always with that urbanity and policy which had characterized his contact with men of note and wire-pulling politicians. The following letter will be of interest at this point:—

“LINDENWALD, June 28, 1856.

“GENTLEMEN,—I feel myself honored by the invitation of the Tammany Society to unite with its members in their annual celebration of the anniversary of the adoption of the Declaration of Independence. There is no portion of my fellow-citizens with whom it would give me more pleasure to be associated on an occasion so dear to the American heart, because I know of none who have more faithfully adhered to the spirit

of that immortal document. I therefore the more regret that I am deprived of that gratification by advanced age, and my distance from your place of meeting.

“You have been pleased to bring to my notice the reunion of the two sections of the Democratic party, and by necessary implication, the objects to which their combined energies are to be directed in the approaching Presidential election. The Committee of Arrangements for the meeting lately held in your city, to ratify the Cincinnati nominations, honored me with an invitation. Hoping that the notoriety of the fact, that I had for several years declined to take part in political meetings might, by friends whose indulgence I had so often experienced, be deemed sufficient excuse for the seeming discourtesy, and being, moreover, earnestly desirous to avoid any participation in the partisan discussions of the day, I ventured to allow their note to pass without a reply. To leave a second invitation, of substantially the same import, and coming virtually from the same source, unanswered, might, I fear, in the estimation of those whose opinion I can never cease to respect, expose me to the suspicion of being desirous to conceal my sentiments upon the political questions before the country. I shall, therefore, with a settled purpose that this letter, as it is the first, shall also be my last appearance in the canvass, save only at the ballot-box, to deposit my vote, give you my views upon the subjects referred to without reserve.

“I am happy to receive your assurance that the too long dissevered sections of the Democratic party in this State, have, upon the principles you describe, and in which I fully concur, ‘become united into one compact body.’ No free country can ever be without political parties; and among the devices of mere factions there never has been one more sinister and deceptive in its character and objects than the no-party cry which is ever and anon declaimed from our political stage. That party to which we have all been so long attached has doubtless not been always perfectly right in its movements, because perfection does not appertain to man or to associations of men. But, with this qualification, I think I venture nothing in saying, that of all the political parties which have

arisen in this or any other country, there has not been another, in the formation and history of which there have been such exclusive regard and devotion to the maintenance of human rights and the happiness and welfare of the masses of the people. It had its origin in the necessity of an effective union of the root and branch friends of the republican system to preserve the fruits of our Revolutionary struggle, by preventing the Federal Constitution from being perverted to purposes neither contemplated by those who framed it or anticipated by those who ratified it, but hostile to the republican principle upon which it was founded. It has for more than half a century employed itself perseveringly and successfully in resisting the revival of heresies which it had defeated in the first stages of its existence, and in maintaining the sanctity of the written Constitution, without which our form of government must prove a delusion and a mockery.

“Almost unaided by its political rival, it carried our country through the War of 1812, the result of which contributed more to elevate our national character and to increase our power than any other measure or series of measures since the recognition of our independence. It has, after a protracted and severe struggle, not only relieved the country from the incubus of national banks, but forever exploded the idea of the necessity of such institutions, and established a Constitutional system for the safe-keeping of the public moneys, and the performance of duties for which a national bank was claimed to be indispensable; this system, after having been the leading object of the fiercest partisan assaults, having by its salutary action won not merely the acquiescence, but the positive favor of all parties, a result which, it may with truth be said, has not been realized by any other public measure that encountered similar partisan hostility since the adoption of the Constitution.

“But the limits of a letter will not admit of an enumeration, much less an examination, of the advantages secured to the country by the rise and progress of the Democratic party. To restore and preserve the unity of a party which can boast of such a history may, very properly, be regarded as a matter of national concern, especially in respect to the influence it is,

when united, capable of exerting in a State to which has been conceded the high honor of having, by its unexampled exertions and complete success, secured the republican triumph in the civil revolution of 1800—which has, on subsequent occasions, rescued the Democracy of the nation from impending defeat, by interposing in its favor a vote which no other State could give, and without the support of which no man has yet reached the Presidential office.

“It needed not our recent experience to show that occasional disruptions of party ties are unavoidable in respect to all political associations. While they continue, discomfiture and humiliation are the portion of the disjointed sections. Of these, you have on both sides had your full shares, and justice to yourselves as well as to the general interest, required that you should put an end to them by a reunion, whenever that could be accomplished without dishonor. There is no reason to question the good faith with which the conflicting opinions that lay at the foundation of our divisions were entertained; and we would have been more than men if, in enforcing our respective views, in moments of great excitement, there had not been faults on both sides. You have well decided to forget past collisions, and to enter upon a generous rivalry in the sacrifice of personal feelings upon the altar of harmony. This is the best, if not the only way, in which such reunion can be made effectual.

“The subject upon which we have differed is that which now furnishes the leading issue between the principal parties in the coming election, and to which all other matters have become subordinate—that of slavery in the Territories. My own course in regard to it has been one, by the record of which I shall always be willing to be judged, whenever and wherever the acts of an individual are deemed of sufficient importance to attract attention. The same thing can, I doubt not, be said by those of you who have differed from me, and there we must leave the matter. We can not control each other’s opinions, when arguments fail to convince, and should not desire to do so if we could. I have, from the beginning, preferred the mode of dealing with the subject of slavery in the Territories adopted at an early day by the founders of the Government,



and continued to a recent period, and have uniformly resisted a departure from it. No man in the country can have been more sincerely opposed to the repeal of the Missouri Compromise. I was informed of it under circumstances calculated to make an American most sensitive in regard to all domestic acts from which he thinks there is reason to apprehend danger to the perpetuity of our political institutions—in a foreign land, surrounded by the subjects and advocates of despotic power. Deeply sensible of its injustice, and foreseeing the extent to which the measure would reopen slavery agitation—the deleterious effects of which few were more capable of appreciating than myself—I did not hesitate to condemn the act. But the measure has been accomplished, and the question that presents itself to those who agreed with me in that condemnation is, what is the best step to be taken next in the matter with reference simply to the public interest? The propositions brought into view by the principal parties in the approaching election, consist of: 1st. The restoration of the Missouri Compromise; 2d. The settlement of questions relating to slavery in the Territories by the direct legislation by Congress; 3d. The immediate admission of Kansas as a free State, under the Topeka Constitution; and 4th. The execution of the Nebraska-Kansas act without regard to the latter movement.

“Upon each of these propositions I will say enough to possess you with my views in regard to them.

“It is worthy of remark that, notwithstanding the seeming fitness of the form of redress embraced in the first proposition, there has not, from the beginning, been anything like unanimity in opinion on the part of those most opposed to the repeal of the Missouri Compromise, in favor of making its restoration a principal issue in the contest. This has doubtless arisen in part from a distrust of success, founded on the political condition of the Senate, the length of time it must take to press the point with a hope of its accomplishment, and the weight of influence the proposition must encounter. But other considerations have, I believe, contributed to this result. The only Territories left for the Missouri Compromise to act upon, if it were restored, are those in Texas and in Kansas. The restoration of the Compromise, if effected, might come in sea-



son for the conversion of the Texas Territory into a slave State or States, but one can scarcely doubt that the Kansas question will have been settled before that of the restoration of the Compromise, with however much energy the latter might be urged.

“Of the restoration of the old mode of settling such questions, I will speak hereafter.

“The convention which framed the Topeka Constitution was convened without specific authority from Congress, in despite of the will of the Territorial government, which is recognized as legitimate by the Federal Executive, and did not even profess to represent more than a part of the people of the Territory. But the objections to the admission of a new State into our Confederacy, organized under the circumstances, are sought to be removed by the grave charges that the legislative branch of the existing Territorial government was not chosen by the people of the Territory, but by lawless, and, in some instances, armed intruders from Missouri, who interfered in the matter, with a design to make the Territory a slave State, against the wishes of a majority of the people thereof; that a redress of this grievance, through the instrumentality of the judiciary, is, for reasons assigned, impracticable; and that the President and Territorial governor appointed by him, desiring to promote the policy of the Missouri invaders, refused to extend to the actual residents of the Territory the protection, in respect to the exercise of the right of suffrage, to which they were entitled under the organic law.

“I do not think it necessary, in the views I have taken of the subject, to enter into a discussion of the truth of these charges. Congress doubtless possesses the Constitutional power to dispense with the preliminary steps which have usually been required for the admission of a State into the Union. But considerate men will, I think, admit that, even assuming these charges to be in the main well founded, Congress ought not to be asked to act in so summary a way, and upon so grave a matter, except as a last resort, and after every attempt to secure to the Territory a peaceable and regular State organization has been exhausted. The case before us has not yet, I think, arrived at that condition, and this brings me to the con-

sideration of the fourth proposition, viz., the carrying out of the Nebraska-Kansas Act.

“I am free to confess that I have for some time past regarded this act with more favor than I did when it was first presented to my consideration as the instrument by which the Missouri Compromise was overthrown. This may have arisen from the fact that I have felt myself compelled to regard it as the only attainable mode by which the country can hope to be relieved from the injurious and demoralizing effects of slavery agitation; or it may have been produced by the great unanimity with which its principles have been adopted in all parts of the country by a political party in which I have been reared, and upon the maintenance of which, in its wonted purity, I conscientiously believe the future welfare of the country will depend. I believe also, that the people of the free States, when the resentment justly excited by the repeal of the Missouri Compromise has subsided, and more especially when they shall have witnessed a fair and peaceable execution of the provisions of that act, will generally regard it as a mode for the settlement of slavery questions, by which they will stand a better chance to have their feelings and opinions upon the subject respected, and one less exposed to extraneous and improper influences than has been the case with specific Congressional legislation. I have not the leisure, if I deemed it necessary, to assign the reasons which have brought my mind to this conclusion. The points in regard to the measure itself can be stated in a few words. The authority of Congress to transfer to the people of the Territories all the power it possesses under the Constitution to legislate for the Territories, has, as far as I know, never been questioned. It has been exercised from the commencement of the Government, in respect to all the proper subjects of legislation, from the highest to the lowest. Not having a copy of the Nebraska-Kansas Act, I take its provisions in regard to the authority it professes to confer, from Mr. Buchanan’s admirable letter of acceptance, where the subject is, I doubt not, fairly presented. He thus describes it: ‘This legislation is founded upon principles as ancient as the Government itself, and in accordance with them has simply declared that the people of a Territory,

like those of a State, shall decide for themselves whether slavery shall or shall not exist within their limits; . . . declaring it to be the true intent and meaning of this act not to legislate slavery into any Territory nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States.'

"From these terms it is too clear to admit of dispute or cavil, that it was the intention of Congress to clothe the people of the Territories with ample power to exclude slavery from within their respective limits, as well while they continued Territories as in making provisions for its exclusion from the State when that transition shall takè place. The only question that can be raised upon the act in this regard, must relate to the effect of the grant; that is, whether the Constitution authorizes Congress to clothe the people of the Territories with a power to exclude slavery therefrom while they remain Territories. I have not the slightest doubt of the power of Congress to give this authority to the people of the Territories. But it is, I think, quite certain, that if the objection raised in behalf of the slave States, in respect to legislation for the government of the Territories, is well founded, that objection could not be obviated either by the restoration of the Missouri Compromise, or by the readoption of the old mode of settling the question of slavery in the Territories, by the direct legislation of Congress. Whether these questions are settled by the act of the people of the Territories, or by the direct legislation of Congress, or by the restoration of the Missouri Compromise (so far as they would reach), the validity of the settlement in each case, and to an equal extent, rests upon an act of Congress and upon the Constitutionality of that act; and this would, of course, have been the case if the Nebraska-Kansas Act had not recognized in terms the subjection of the powers it intended to grant to the Constitution.

"Mr. Buchanan, in his letter of acceptance, pledges himself to the people, 'should the nomination of the Convention be ratified by the people, that all the power and influence Constitutionally possessed by the Executive shall be exerted in a firm but conciliatory spirit, during the single term he shall

remain in office, to restore the same harmony among the sister States which prevailed before the apple of discord, in the form of slavery agitation, had been cast into their midst.' He knows that this pledge can be redeemed in but one way, and that is by securing to the *bona fide* settlers of the Territory, if matters should be allowed to remain as they now stand, the full, free, and practical enjoyment of the rights intended to be granted to them by the organic act, including that of free suffrage; and no one will understand better than he, that nothing short of the substance of those rights would answer the purpose, or satisfy the excited and vigilant scrutiny of those who will watch every step that is taken in the matter. Doubts were, at one time, thrown out—I know not from what quarter—in regard to the power of the Executive to give this security; but affairs now in progress show that these doubts, if they ever existed, have been dispelled. The Constitution makes it the express duty of the Federal Executive to see that 'the laws are fully executed;' and he is clothed with powers adequate to its performance.

"Will Mr. Buchanan, if elected, redeem his pledge? I believe he will, and therefore I will cheerfully support him. All that can be asked of him is to do equal and exact justice to every section of the country; to exercise the high powers with which he will be invested to secure the object in view, as well because it will be right so to do, as because there may be reason to fear that the existence of the Government itself may depend upon his securing it. So much has been said in regard to the dangers with which the Union is threatened as to require no inconsiderable effort on the part of an earnest man to touch upon the solemn theme, for fear he might be suspected of a desire to prostitute it to comparatively petty purposes. But all must admit it to be certain that there never was a period in the history of this Republic when sectional animosities were so rife, or had, to so great an extent, inflamed the masses of the people. If the Confederacy shall prove strong enough to withstand these torrents of bitter waters, it will afford the best evidence that the love of union is as deeply impressed upon the American heart as its most sanguine friends have imagined it to be. I see good grounds for hope that such may be the happy issue out of our

present alarming condition in the prospect of Mr. Buchanan's election. He is neither an untried man, nor one of ordinary stamp. He has for a long time been favorably known to the public service, and comes before the country with a character already formed, and a mind thoroughly trained in the school of experience. In regard to the future action of such a man, his constituents are not left to conjecture and hope, but may form positive opinions. He has established a foreign reputation in regard to which he can not fail to be solicitous. He has, with characteristic good sense, relieved himself from the imputation of being influenced by a desire to conciliate any special or partial interest with a view to a re-election, and his acts from misconstructions which the suspicion of being so influenced might engender. That a man with such antecedents and occupying such a position, acting in a matter of sufficient interest to attract the attention of the world, and in the presence of a free and intelligent people, among whom he was reared and expects to spend the evening of his life, can fail to perform his entire duty, when the path that leads to it is so plain that 'the wayfaring man, though a fool, could not err therein,' is a consummation that I am very certain can never be realized.

I am very truly yours,

"MARTIN VAN BUREN.

"TO MESSRS. MURPHY, SHEPARD, FOWLER, KELLY, WHEELAN, PURDY,  
and others, Committee of Arrangements of the Tammany  
Society.

In the extraordinary political turmoil of the times Mr. Van Buren took an active interest. To a great extent he adhered to Mr. Buchanan, but was not a warm supporter of his Kansas-Nebraska policy. As the strife deepened, he stood to the side of freedom; and when actual conflict at arms was begun between the regularly constituted authorities of the General Government and the disaffected South, he put himself at once squarely in support of the Administration. He had no wavering or divided sentiments.



The Union stood above every other consideration with him; and he believed that no sacrifice on the part of the American people could be too great to maintain and perpetuate it. But he was not destined to live to see the consummation for which he longed, and which he believed to be beyond the domain of doubt. For many years he had been disturbed by an asthmatic affection, which, with complications, gradually lessened his interest in public affairs, and finally led to his death on the 24th of July, 1862, at a good old age.

President Lincoln issued the usual proclamation in such cases, and throughout the loyal part of the country due note was made of his death. His funeral took place on the afternoon of the 28th of July, from the old Dutch Reformed Church, of which he was not a member, but which he had attended at Kinderhook. The remains of Martin Van Buren were interred in the old burial-ground at the northern border of his native village, and over the spot now stands a plain four-sided shaft of Montpelier granite. On the western face of this monument is this inscription: "Martin Van Buren, VIII President of the United States, born December 5, 1782, died July 24, 1862." On the same side below are these words: "Hannah Van Buren, his wife, born March 8, 1783, died at Albany, N. Y., February 5, 1819." And on the north side of the monument is this inscription: "Martin, son of Martin and Hannah Van Buren, born December 30, 1812, died at Paris, France, March 19, 1855."



Some marble slabs cover the grave of Mrs. Van Buren; and on them, among other things, are the following words:—

“She was a sincere Christian, dutiful child, tender mother, and most affectionate wife; precious shall be the memory of her virtues. Beneath this tomb rests the remains of the first person interested in this cemetery. Removed to this place from Albany in 1855.”

Near this tomb lie the remains of Captain Abraham Van Buren, who died April 8, 1817, at the age of eighty-one. On the marble slab commemorating this event, it is stated that he was tender and indulgent to his children and family, had a mild temper, was benevolent and upright, and that he was a Christian. The legend, “I. H. S.,” stands at the top of this stone. Here, too, is the grave of Mary Van Buren, wife of Captain Abraham, and mother of the President, who died February 16, 1818, in her seventy-first year. Of her it is said, that she was a woman of great domestic virtues, and withal a Christian. Here is the grave of John I. Van Alen, who died in 1805, at the age of thirty-four years; and also that of James I. Van Alen, who died in 1822, at the age of forty-nine. Here, too, are to be found the tombs of other Van Alens. The remains of Lawrence and Abraham, brothers of the President, were deposited in this old cemetery. On the tomb of one of these brothers is this inscription:—

“In memory of Abraham A. Van Buren, who died at Hudson, October 30, 1836, in the forty-ninth year of his

age. He had been for many years, and was at the time of his death, surrogate of the county of Columbia; and by his talents and integrity secured universal respect and esteem. Peace be to his ashes."

At the time of President Van Buren's death his son, Smith, with his family, lived with him at "Lindenwald." Smith was at one time a man of some consequence, and he and his brother Lawrence edited and published their father's book, "Political Parties." They also disposed of the other literary remains of Mr. Van Buren. Two of Lawrence's daughters are yet living at Kinderhook. The most consequential of Mr. Van Buren's children was John, "Prince John," as he was often called. He was a lawyer by profession; was for a time Attorney-General of New York, and figured with prominence in the politics of that State. He was a more brilliant man than his father, perhaps. He was far more "popular," but much less politic. He led his father to accept the Free-soil nomination for the Presidency in 1848, and put forward his greatest efforts to further his cause, or rather to divide the Democratic party. This step was the great error in his father's career, and for it Prince John was largely responsible. No man knew better than he that there was no chance for the Free-soil candidate. But the defeat of his father in the Democratic conventions in 1844 and 1848 deeply aroused and embittered his feelings, and his fight for the Free-soil ticket was mainly in the way of revenge and compensation. He was an able and exceedingly attractive stump-

speaker, and in 1848, as well as other campaigns, his voice was one of the most potent. He was a large, fine-looking man, and his direct personal influence was very considerable. Unlike his father, he was a "popular" man. His hands were always open, and his habits were seldom above those of the men he wished to use. This it was that made him *Prince John*, a "prince of good fellows." As a partisan leader he was, however, often imperious, and carried his own will with a high hand and a royal flourish. In this, too, he was Prince John. In many of his practices and habits he was unfortunately not princely. But wherever he went, at home or abroad, he was well received, always exhibiting his own weight as well as that borrowed from his father. Indeed, he was by education, personal standing, and acquaintance with public men and affairs, behind few men of his day. The mixture of a certain dash in his conduct made him an object of admiration, especially in foreign countries where he traveled.

Neither his own nor his father's public successes were what he thought they should have been. His aspirations had not been realized. His wife lived but a few years; and although she left him a child upon whose education he lavished every attention, yet his latter years were beclouded. In foreign travel he hoped to find some relief, and while he felt that he had been partly successful, and was on his way to America with a new interest in life, a brief illness destroyed his hope, and his spirit sank as he

saw the powers of his body weaken. He died at sea, off Cape Race, of acute nephritis, on the 10th or 13th of October, 1866. A few days subsequently his remains were carried by his daughter and his two brothers and many political and personal friends to Albany, and interred on the 20th in the cemetery at that place. His wife's remains had been placed here among those of many of her relatives. The tomb of John Van Buren is a small, square Italian marble cross, and on it are these inscriptions:—

“John Van Buren, son of Martin and Hannah Van Buren, born at Hudson, February 10, 1810; died at sea, October 13, 1866.”

“Elizabeth, wife of John Van Buren, and daughter of James and Anna Vânderpoel, born May 22, 1810, married June 22, 1841, died November 19, 1844.”

From an Albany newspaper of recent date is taken the following sketch by Rev. Elbert S. Porter, D. D.:—

“Martin Van Buren, in a day when poverty was the rule and wealth the exception, began in obscurity a career whose splendor is flaming brighter and brighter with the years. Full justice has not yet been done in words to his great influence and real excellence of merit. But events have demonstrated the fact, that he was not so much a politician as a statesman. He will ever rank high among men of comprehensive sagacity and of well-nigh intuitive genius in the affairs of civil government. His opponents, according to the courtesy which is cultivated among party partisans, lavished upon him all the epithets which ignorance could suggest or interested wit could invent. Yet when we come to inquire what he did, it is found that

the statesman of New York—the sage of Lindenwald, the little fox of Kinderhook, is in this year of grace still living in the policy and progress of our Nation.

“With the exception of Mr. Polk, I have seen and have conversed with all our Presidents from Jackson to Grant, but with Mr. Van Buren I had something approaching at points to a certain degree of personal friendship. Occasionally he called upon me at Chatham; often, for a succession of years, I visited him at Lindenwald. Some of his relatives were members of my Church, and my social relations with his relatives and friends in Kinderhook were more than casual. For these and other reasons, I think it safe to say, that in purity of personal character, in fidelity to domestic obligations, in unselfish attachment to friends, in devotion to public interests, and in broad, far-seeing, and comprehensive statesmanship, Martin Van Buren has had few, if any, superiors among the public men of this country. It is very difficult, indeed, to elect a statesman to preside as the head of our Nation. Successful generals awaken popular enthusiasm, and when party is regarded more than principle or policy, ‘the general’ must override the civilian. It has been said that Mr. Van Buren was the inspiration of General Jackson. If that be true, the fame of neither can be hurt by the suspected relation. Theirs were very stormy and troublesome times, but in spite of immense defamations, they piloted the ship of State safely toward the more stormy deep over which it had yet to sail.

“When only fourteen years of age, Mr. Van Buren began the study of law in the office of Judge Francis Silvester, in Kinderhook. There are many traditions of his boyhood. Judge Silvester once chided him for his lack of neatness in his dress. For some days the boy-student failed to return to the office, but when he did, lo! he had on an exact copy of the Continental costume worn by his venerable superior. Dr. John Vanderpoel is my authority

for the following: A lawsuit, which had attracted some attention, was to be tried before a justice and jury in Valatie. Aaron Gardinier was lawyer for one of the parties. Young Van Buren stood at his side, a close observer. When the case was to be submitted, Gardinier turned and exclaimed, 'Here, Mat, sum up. You may as well begin early.' For his services the future President received a silver half-dollar, which, as the story goes, he threw up and caught again and again, exclaiming, 'I shall yet be a lawyer.' At the age of eighteen he was a member of a nominating convention; when only twenty-four years old he was surrogate of Columbia County, and only four years later he was a senator of the Empire State.

"Though holding office so constantly, yet Mr. Van Buren was never suspected of providing a future for himself. He made some investments in lands which proved to be profitable, but even his bitterest opponents shrank from accusing him of making money out of his official opportunities. He was a model of integrity.

"In the State convention of 1821, for revising the Constitution, Mr. Van Buren favored the extension of the right of suffrage, but resolutely opposed the proposition to make it universal. He also opposed the scheme of electing justices of the peace. He favored negro suffrage in a qualified freehold possession. Would that his foresight could have prevailed over the blind recklessness which has brought upon us so many flagrant evils!

"The later years of the Ex-President were passed in tranquil beauty. He loved farming as a profession, and did very much to raise the standard of that profession in all the region around his estate. His home was one of elegant and refined hospitality. While conscious of the dignity of his position, he still loved to mount his horse of a morning, and ride off among the plain farmers and talk with them about their common interests. He was a regular attendant, when at home, of the Reformed Church



in Kinderhook, and I think he always regarded himself as a sincere believer in the 'articles of the Christian faith.'

"In the last interview I had with him he read me an outline of a plan he had been maturing for equalizing the values of gold and silver for international use. He was a practical statesman in all things, but ruled more by great principles or large ideas, than by any petty schemes of paltry politicians."



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